



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 06/11/18

The notes on the following pages were updated approximately three court days prior to the hearing to reflect newly-filed documents. Documents filed now after that update typically will not be reviewed except on the date of hearing at the judge's discretion.

Destruction of Filed Documents:

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

Contacting the Probate Examiners:

Probate Examiners' email address: ProbateNotes@sb-court.org

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

05/21/18 ww (06/06/18 cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300520

CASE NAME: Dianne Marie Kinsinger

HEARING:

Accounting Review by ***

COUNSEL:

RHONDA M CHESLEY	(PET)...	DENNIS M SANDOVAL
JANELLE M KINSINGER	(PET)...	DENNIS M SANDOVAL
DIANNE MARIE KINSINGER	(DEC)...	
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)	...	PRO/PER
WELLS FARGO BANK	(PRO/PER)	

GENERAL INFORMATION:

Continued from **03/13/17** at request of counsel.

Continued from 06/12/17 at request of counsel. Counsel indicates they are waiting on interest in unimproved property in Moreno Valley, CA.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order on Status Report approved on 03/07/16.
2. No accounting or updated status report. Need same.

RECOMMENDATION:

Inquire status.

(nb/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500200

CASE NAME: KEVIN MAURICE BRELAND

HEARING:

Probate status report filed.

COUNSEL:

ROBERT JOHNSON	(PET)...	ROSE C ROSADO
KEVIN MAURICE BRELAND	(DEC)...	
NAKITA BRELAND	(PET)...	TANYA L WILLIS
JEANNE E KENNEDY	(TP)...	CALDWELL, KENNEDY & PORTER
DEPT OF HEALTH CARE SRVCS	(PRO/PER)	

THIS CASE IS SET FOR HEARING ON Status Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued to Nakita Breland, daughter , on 02/06/17; full authority, \$35,215.27 to be placed into blocked account.
2. Petitioner requests an additional 6 months to close the estate.
3. Estate is not in a condition to close due to an Unlawful Detainer proceeding against Robert Johnson, alleged son, the need to sell the commercial property, time to prepare an accounting and petition for final distribution. [LF pg. 5]
4. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201(b) advising the recipients of the right to petition for an account in accord with Pr.C. § 10950. **This form of notice is mandatory.**
5. No proposed order. Submit order after hearing.

RECOMMENDATION:

Need to clear note 4. If approved, set next hearing for Accounting Review for **12/17/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500252

CASE NAME: MTR OF DAVID L LOFTUS

SEE ALSO 4, 5

HEARING:

Hearing Re: 850 PETITION FILED ON 5/20/16

COUNSEL:

ERIN LOFTUS	(PET)...MERCY L HALL
DAVID L LOFTUS	(DEC)...
DANIEL LOFTUS	(PET/OBJ)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

**Continued from 08/31/16, 11/07/16, 03/06/17 and 12/04/17 at request of counsel.
Waiting for status of appeal in Federal court.**

THIS CASE IS SET FOR HEARING ON Pr. C. §850 Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Daniel Loftus alleges that he is the child of decedent, David Loftus. Erin Loftus is the surviving spouse of the decedent and the duly appointed administrator of the decedent's estate. Erin and the decedent were married for 5 years prior to the decedent's death.
2. Daniel alleges that the I & A that was filed 9/14/15 is incomplete as it does not include any of the decedent's tangible personal property. Daniel alleges that the decedent inherited a considerable amount of personal property from his father (petitioner's grandfather) as separate property. Daniel alleged that Erin is in possession of these items.
3. Petitioner alleges that there are at least 7 specific items (Petition at LF pg. 4).
4. Petitioner seeks a court order compelling Erin to transfer the 7 items and any other separate property from the decedent to him. He also seeks a court order compelling Erin to list said items on the I & A.
5. Notice complete. As of the date of this review, not objection has been filed.

RECOMMENDATION:

Court's discretion.

(oc/nb/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500252

CASE NAME: MTR OF DAVID L LOFTUS

SEE ALSO 3, 5

HEARING:

Accounting Review by ***

COUNSEL:

ERIN LOFTUS	(PET)...MERCY L HALL
DAVID L LOFTUS	(DEC)...
DANIEL LOFTUS	(PET/OBJ)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

Continued from 08/31/16, 11/07/16 and 03/06/17 at request of counsel. Waiting for status of appeal in Federal court.

THIS CASE IS SET FOR HEARING ON Accounting/Status Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters of Administration issued to Erin Loftus on 6/25/15, \$20,000 bond.
2. Need an accounting or status report.

RECOMMENDATION:

Inquire status.

(sa/lc/nb/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500252

CASE NAME: MTR OF DAVID L LOFTUS

SEE ALSO 3, 4

HEARING:

Spousal Property Petition hearing.

COUNSEL:

ERIN LOFTUS	(PET)...MERCY L HALL
DAVID L LOFTUS	(DEC)...
DANIEL LOFTUS	(PET/OBJ)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION:

Continued from **5/28/15** Court tentatively denies petition as to the VA litigation if it is personal injury litigation. Court requests title documents be filed as to other property. Continued from **07/01/15**. Daniel Loftus requested continuance to retain counsel. Request granted over petitioner's objections. Only one continuance granted to retain counsel.

Continued from **08/06/15, 09/17/15** and **11/05/15**. Court was informed that there is a signed settlement by a federal magistrate in this matter. Mr. Loftus and his counsel report they are not in agreement with settlement. Parties to confer with counsel in the federal matter to come to an agreement about what exactly have settled. If needed, return to federal court for clarification or motion to set aside settlement.

Continued from 3/24/16 for counsel are directed to file a joint statement prior to next hearing.

**Continued from 08/31/16, 11/07/16, 03/06/17 and 12/04/17 at request of counsel.
Waiting for status of appeal in Federal court.**

THIS CASE SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Erin Loftus (also appointed administrator 05/06/15), seeks entire property left by decedent. Petitioner is requesting to confirm her half of the community property and acquire decedent's half.
2. Petitioner alleges per Family Code § 780 that the pending Veteran's Administration litigation proceeds are community property. Court to clarify what petitioner is actually seeking re Veteran's Administration. **Need verified supplement as to**

litigation per 5/28/15 minute order. **Supp 06/25/15: Petitioner states that the proceeds from the Veteran's Administration are community property per Fam Code § 780. There are limited exceptions to the community property rule under the family code; however, petitioner and decedent were not living apart or subject to any dissolution.**

3. Petitioner is seeking court confirm that personal property, 3 bank accounts, are community. Petitioner and decedent were married in 2009; 5 ½ years prior to death. **Supp 06/25/15:** Two accounts ending in 1583/3861 were opened prior to the marriage. Decedent's only income was Veteran's Administration benefits of \$300 per month. Petitioner alleges they opted not to add her to the account due to the nominal amounts. However, the benefits increased to \$1,547 in 2012. Petitioner alleges that she was added to the account in 10/2012. Question if petitioner is added to the account, how is it subject to this petition? **Supp 11/04/15: two Wells Fargo accounts are now held in petitioner's sole name and not subject to this petition. Court to inquire which bank accounts are not subject to this petition as it is not clear, nor has an amended order been filed.**
4. Petitioner is seeking the BMW automobile be transferred as community property. The vehicle was purchased with community funds. Petitioner is continuing making payments.
5. **Objection filed 08/03/15 by Daniel Loftus, heir, to dispute petitioner's interpretation of the Family Code and its support for petitioner's assertion that the VA claim becomes community property distributable to petitioner. Objector asserts that the proceeds from the VA claim should not be included in the community property to be confirmed to petitioner.**
6. ~Proposed Form Order: 04/14/15.

RECOMMENDATION

Court's discretion.

(lc/sa/lc/ds/lc/sa/lc/nb/cs)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500682

CASE NAME: JAYANTILAL DAHYABHAI MORAR

SEE ALSO 7, 8

HEARING:

Hearing re Final Discharge

COUNSEL:

CHRISTOPHER J MORAR

JAYANTILAL DAHYABHAI MORAR

(PET)...J BENJAMIN SELTERS III

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final account/distribution of Christopher Morar, son, approved on 04/24/17.
2. No receipts needed as only real property remains.
3. **Ex Parte Petition for Final Discharge and Order forwarded to S35 on 06/05/18.**

RECOMMENDATION

Inquire status.

(ww)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500682

CASE NAME: JAYANTILAL DAHYABHAI MORAR

SEE ALSO 6, 8

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00

COUNSEL:

CHRISTOPHER J MORAR

(PET)...J BENJAMIN SELTERS III

JAYANTILAL DAHYABHAI MORAR

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Sanctions of \$500.00.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. OSC set on 04/30/18 due to non-appearance by administrator Christopher Morar and his counsel.
2. Sanctions of \$500.00 was ordered for Attorney Selters.
3. Sanctions of \$500.00 was ordered for administrator Christopher Morar.
4. **Response to OSC by Attorney Selters, III filed 05/14/18.**

RECOMMENDATION

Court's discretion re OSC.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500682

CASE NAME: JAYANTILAL DAHYABHAI MORAR

SEE ALSO 6, 7

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$500.00

COUNSEL:

CHRISTOPHER J MORAR

(PET)...J BENJAMIN SELTERS III

JAYANTILAL DAHYABHAI MORAR

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Sanctions of \$500.00.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. OSC set on 04/30/18 due to failure to file the Final Discharge by administrator Christopher Morar.
2. Sanctions of \$500.00 was ordered for administrator Christopher Morar.
3. **Response to OSC by Attorney Selters, III filed 05/14/18.**

RECOMMENDATION

Court's discretion re OSC.

(ww)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600533

CASE NAME: DANIEL ROBERTO ARES

SEE ALSO 9A, 9B

HEARING: Probate status report filed.

COUNSEL:

ROSEMARY JAHEN (PET)...PRO/PER
DANIEL ROBERTO ARES (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Report by Rosemary Jahen,
Administrator/half-sister/sole heir

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Estate is not in a condition to close as Administrator is still compiling documents and information needed to complete final accounting and petition for final distribution.
2. Petitioner requests an additional 3 months to close the estate; indicates Inventory and Appraisal is still pending appraisal by probate referee and has filed a copy of Inventory and Appraisal sent to Probate Referee.
3. Inventory and Appraisal filed 04/23/18. However, form is incomplete at item #5 re property tax certificate; verification is not signed or dated by Administrator; statement about bond is incomplete; signature is not dated; and attachment #1 is missing. *Note: It appears assets consist solely of cash as suggested in item #1 of I&A; if so, it does not appear an appraisal by probate referee is required. Court to inquire.*
 - a. **Need amended Inventory and Appraisal along with supporting financial statements per Local Rule 20-908.**
4. ~Proposed Order: 04/23/18

RECOMMENDATION:

Need to clear notes #3. If approved, set next hearing for Accounting Review for **08/22/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(lh/ww)

Future Hearings:

6/12/18 Court Trial (Day 1)

6/13/18 Court Trial (Day 2)

6/14/18 Court Trial (Day 3)

Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - no legal or procedural advice will be given.

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600533

CASE NAME: DANIEL ROBERTO ARES

SEE ALSO 9, 9B

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$1,000.00 ON ROSEMARY JAHEN

COUNSEL:

ROSEMARY JAHEN (PET)...PRO/PER
DANIEL ROBERTO ARES (DEC)...

GENERAL INFORMATION

Continued from **12/20/17**. Court set OSC re surcharge in the amount of \$500 for failure to appear. Court orders administrator to be personally present on 02/21/18.

Continued from **02/21/18** at request of Administrator to file accounting and Inventory and Appraisal. Court takes off calendar the OSC re surcharge set this date, and reset to OSC re surcharge for \$1,000 for Administrator's failure to comply with duties set for 05/23/18. Court orders Rosemary Jahen to be personally present, orders Inventory and Appraisal to be filed by 4/23/18, and accounting be set by Clerk's office for 05/23/18 if accounting filed by deadline of 04/23/18.

Continued from 05/23/18 at request of petitioner to trail hearing on probate status report.

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge for \$1000/Accounting Review** re Rosemary Jahen, administrator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued 10/19/16 to Rosemary Jahen with full authority, no bond.
2. Status Report filed 04/23/18. See notes on previous matter #9.

RECOMMENDATION

Court's discretion re OSC.

(lh/cs)

Superior Court of Calif, County of San Bernardino
Page: 9B add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600533

CASE NAME: DANIEL ROBERTO ARES

SEE ALSO 9, 9A

HEARING:

Hearing Re: Accounting Review

COUNSEL:

ROSEMARY JAHEN (PET)...PRO/PER
DANIEL ROBERTO ARES (DEC)...

See note on matter number 9.
(cs)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700510

CASE NAME: REVOCABLE LIVING TRUST OF JAMES R JONES

SEE ALSO 11

HEARING:

Hearing Re: FIRST & FINAL REPORT, PETITION, ETC

COUNSEL:

JAMES STEVEN JONES (PET)...LAW OFFICE OF SHERYL S HAYASHI

REVOCABLE LIVING TRUST OF JAMES R JONES (TRU)...

JASON JONES (OBJ)...BORDEN LAW OFFICE

JUSTIN JONES (BORDEN LAW OFFICE)

GENERAL INFORMATION:

Continued from **10/24/17**. Court indicates that any future filings of counsel for Jason & Justin Jones are to be filed at least 5 court days prior to the hearing date- If not timely filed, court will not consider that filing; counsel for Jason & Justin Jones states that she understands this court order. Court orders that Stephanie Chao will not be permitted to make any future court call on this case.

Continued from 12/12/17. Court trial requested. Pre-trial orders made.

THIS CASE IS SET FOR HEARING ON **AMENDED** (09/14/17) First and Final Account and Petition for Fees by Trustee, James S. Jones ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This trust does not appear to have been court-supervised; a formal probate has not commenced; and trust indicates that upon the death of both trustors, the trustee shall distribute the entire trust estate, equally to the grandchildren [LF, p34]. **Supp. (09/14/17) indicates that an accounting was submitted as not all the beneficiaries of the Trust agree to the amounts to be disbursed.**
2. Accounting period 09/30/14 to 03/09/17.
3. Assets on Hand \$178,628.18 consisting of cash.
4. Petitioner requests ratification of fees paid in the sum of \$2,500.00.
5. Petitioner requests reimbursement of costs advanced of \$250.00. Itemized.
6. Attorney requests fees and costs of \$8,631.98. Billed at \$300/hour for 26.6 hours' attorney time and \$100/hour for 4.5 hours' paralegal time. Itemized [LF, pgs. 56-61]. JTD.

7. Distributions [LF, p11] reflect preliminary distributions totaling \$68,503.37.
8. Petitioner requests authority to withhold \$10,000 as a reserve. JTD.
9. Petitioner requests discharge upon filing of receipts. However, discharge is not granted until entry of final discharge order.
10. Notice given.
11. **Objections filed 10/23/18 by Jason Jones and Justin Jones.**
12. **Reply to Objections filed 12/01/17. Need proof of service.**
13. Proposed Order 12/01/17 does not include case number and discharges Trustee upon filing of receipts instead of entry of final discharge order.

RECOMMENDATION:

Require notice then set for contested hearing. If approved, set next hearing for receipts and final discharge for **06/07/19**.

(nb/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700510

CASE NAME: REVOCABLE LIVING TRUST OF JAMES R JONES

SEE ALSO 10

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

JAMES STEVEN JONES (PET)...LAW OFFICE OF SHERYL S HAYASHI

REVOCABLE LIVING TRUST OF JAMES R JONES (TRU)...

JASON JONES (OBJ)...BORDEN LAW OFFICE

JUSTIN JONES (BORDEN LAW OFFICE)

Trial Setting Conference- No notes- JTD

(ww)

Future Hearing:

6/12/18: Court Trial (Day 1)

6/13/18: Court Trial (Day 2)

6/14/18: Court Trial (Day 3)

6/15/18: Court Trial (Day 4)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800222

CASE NAME: MTR OF TIMOTHY JOHN ROBLEDO

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

SHERYL ANN ROBLEDO (PET)...JT LEGAL GROUP, APC
TIMOTHY JOHN ROBLEDO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Sheryl Ann Robledo, spouse

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive bond. The estate consists of \$227,600.62 of which \$0.62 is personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. Proof of publication filed 05/04/18, however, 1st date of publication was on 04/12/18 for the hearing on 04/16/18. 1st date must be 15 days prior to the hearing date per Pr.C. § 8121. **Need** corrected proof of publication.
3. ~Proposed Form Order: 03/07/18

RECOMMENDATION

Need to clear note 2. Court's discretion re bond. If approved, set Accounting/Status Review **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800230

CASE NAME: MTR OF RICHARD K HAMAMURA

HEARING: re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

NONI S PATCHETT (PET)...DENNIS B HANSEN
RICHARD K HAMAMURA (DEC)...

GENERAL INFORMATION

Continued from 04/30/18 at request of counsel to clear probate notes.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Noni Patchett, nominee/petitioner.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond; however, petitioner is not named in the will therefore bond is not waived as to petitioner. The estate consists of \$200,000.00 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b). Supp. filed 03/08/18 indicates no bond should be required as will empowers named executor Shari Patchett to designate any person or persons as executor(s) to act as successor to her or instead of her and such designated executor(s) shall serve without bond [Petition,LF,p.10]. JTD
2. Declinations to act and nominations filed by named executor Ruth. **Need** declination to act by Shari Patchett, alternate named executor. Supp. filed 04/25/18 alleges a declination of alternate executor Shari Patchett is not needed as named executor and surviving spouse signed a Declination and Designation of alternate executor to serve without bond. JTD
3. Petition is marked as Letters Testamentary but it appears that it should be Letters of Administration with Will Annexed. Does Court wish for an amended petition be filed? **JTD**
4. ~Proposed Form Order: 04/25/18

RECOMMENDATION

Court's discretion re bond and notes 3 and 4. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800261

CASE NAME: Mtr of Lillie Louise Beasley

SEE ALSO 15

HEARING: Hearing Re: OSC RE DISMISSAL

COUNSEL:

SAUNDRA GAY (PET)...SERGIO RODRIGUEZ
LILLIE LOUISE BEASLEY (DEC)...

GENERAL INFORMATION

At hearing on 04/30/18. Prior to hearing, counsel for Saundra Gay had arranged for court call- when matter is called at 9:28am counsel did not check in or make contact with the department. Matter is continued for counsel to file supplement re clarification on relationships of Alicia Reves and Raiford Beasley (see probate note 3) on section 8 of petition.

THIS CASE SET FOR HEARING ON **OSC re Dismissal of** Petition for Letters of Administration with full authority under IAEA by daughter, Saundra Gay, [Administrator/Petitioner].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. OSC set on 04/30/18 when Counsel Rodriguez failed to appear at the initial hearing for the Petition for Letters of Administration.
 - a. If Counsel fails to appear, Court will dismiss petition on 06/11/18.
2. This appears to be an ancillary probate; decedent was domiciled in Michigan.
3. Petitioner is an out of state resident and requests \$20,000 bond. Estate value consists of \$200,000 in real property. The Court in its discretion may require a non-resident personal representative to give a bond in an amount determined by the Court. per Pr.C. §8571. **JTD**
4. Section 8 to petition [LF, p. 5] does not specify relationships of Alicia Reves and Raiford Beasley. Need verified supplement. **(Supp. 04/27/18 indicates that Alicia and Raiford are surviving children of the decedent.)**
5. **Petition for probate for Special Administration filed 06/01/18.**
6. ~Proposed Form Order: 03/16/18

RECOMMENDATION

RFA subject to Court's discretion re bond and OSC. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/ww/cs)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800261

CASE NAME: Mtr of Lillie Louise Beasley

SEE ALSO 14

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority Under IAEA.

COUNSEL:

SAUNDRA GAY (PET)...SERGIO RODRIGUEZ
LILLIE LOUISE BEASLEY (DEC)...

See notes on matter 14.

(ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800441

CASE NAME: MARGIE L BAILEY

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

DARLENE LAWANDA HAMPTON (PET)...PRO/PER
MARGIE L BAILEY (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Darlene Hampton on 05/09/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Darlene Hampton, daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive bond. The estate consists of **negative** \$32,330.07 as real property is over encumbered. The Court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
 - a. Petitioner indicates that there are no assets of the estate and that the probate is being open to deal with the reverse mortgage and sale or pay off the balance on the real property. [LF pg. 7]
2. **Proof of publication filed 05/25/18.**
3. ~Proposed Form Order: 05/07/18

RECOMMENDATION

RFA Court's discretion re bond. If approved, set Accounting/Status Review **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800451

CASE NAME: NANCY LEE GENAWAY

HEARING:

Petition to determine succession to Real Property

COUNSEL:

SHERI GENAWAY-COE (PET)...FULLERTON LEMANN SCHAEFER &
NANCY LEE GENAWAY (DEC)...

XREF: PROPS1800450 CORINA ARAGON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Sheri Genaway-Coe [Petitioner]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks 100% interest, in decedent's 100% interest; in real property per intestate succession.
2. Surviving spouse, Philip Genaway signed all interest to petitioner.
3. Notice of given.
4. ~Proposed Form Order: 05/09/18

RECOMMENDATION

Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

Page: 17A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400562

CASE NAME: MTR THE JANET YAMANAKA SPECIAL NEEDS TRUST

HEARING:

THIRD Account and Report of INLAND COUNTIES REGIONAL CENTER INC
and Petition for allowance of fees filed.

COUNSEL:

INLAND COUNTIES REG CNTR (PET)...LAYNE A BARTHOLOMEW
THE JANET YAMANAKA SPECIAL NEEDS TRUST(TRU)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Third Account and Report of IRC and Petition for Approval of Trustee's Fees and for Attorney's Fees; Ratification and Approval of Payment of Trustee Fees, and Petition to Amend Trust to Include "Medicaid" Language; and Petition to Terminate Court Supervision of Special Needs Trust by IRC, trustee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting period: 03/01/16-02/28/18
2. Assets on hand: \$105,890.85 in cash.
3. Current bond is \$116,000.00. Petitioner requests that bond amount stay the same. Appears adequate. Bond calculation attached. [LF pg. 55] **JTD**
4. Petitioner requests approval of trustee fees already taken by Master Trust of California in the amount of \$4,238.75. Billed at \$1,250 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000, 1.50% of the next \$250,000 and 1.25% on the balance over \$1,000,000. Services generally itemized. Calculation attached. [LF pg. 38] **JTD**
5. Petitioner requests authority to allow Master Trust to continue taking its annual fee according to its 2017 fee schedule in quarterly payments. **JTD**
6. Attorney requests fees of \$705.00 for 3.3 hours of paralegal and 1.5 hours of attorney services at \$100.00/250.00 per hour respectively. Itemized [LF pgs. 43-47]. **JTD**

7. Petitioner requests to amend the trust to add provisions regarding “Medicaid” language as a new Article Nine of the trust. [LF pgs. 7-10]. Proposed revised trust is attached. [LF pgs. 57-84]. **JTD**.
8. Title of Accounting indicates that there is a request to terminate Court supervision of the special needs trust; however, no request is made in the report of prayer. Court to inquire. **JTD**
9. Notice given.
10. Proposed Order: 04/23/18; however, request to termination Court Supervision is not indicated. **See note 8.**

RECOMMENDATION

Court’s discretion. If approved, set hearing on the next accounting review for **06/07/19** (if one year) or **06/22/20** (if two years). Accounting to be filed 30 days in advance.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1400142

CASE NAME: LYNN W AND MARGUERITE F KLOEPFER TRUST

HEARING:

Petition for Account, to Review Reasonableness of Trustees Fees, Etc

COUNSEL:

ROBERT A KLOEPFER (PET)...BRUNICK, MCELHANEY & KENNEDY P
WILLIAM L KLOEPFER (PET)...BRUNICK, MCELHANEY & KENNEDY P
LYNN W AND MARGUERITE F KLOEPFER TRUST (TRU)...
KENNETH KLOEPFER (PET)...RANDAL P. HANNAH

Currently under review by Legal Research.

(LR)

Notice:

Notice given.

(ww/cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIPS**

DATE: 06/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600300

CASE NAME: MTR OF RAMON ARGUELLES

SEE ALSO 20, 21

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ANELY ARGUELLES

COUNSEL:

ANELY ARGUELLES (PCE)...
RAMON ARGUELLES JR (PCE)...PRO/PER
RAMON ARGUELLES (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from **12/04/17** for conservator to clear notes.

Continued from **02/26/18** Matter is continued and Court sets OSC re Sanctions on the conservators in amount of \$500.00 for failure to appear and OSC re Suspension of powers of conservator for the date of March 19, 2018. Court orders conservators to be personally present in court at 9:30am in Department S35 on March 19, 2018.

Continued from **03/19/18**. Prior to matter being called, judicial assistant received message that conservator unable to appear for hearing- Matter is continued to April 30, 2018- Mitchell Roth will give notice.

Continued from 04/30/18. Matter is continued to June 11, 2018; Court orders both co-conservators to be personally present in court at 9:30am in department S35. Court orders Anely Arguelles to report immediately to legal aid on the 10th floor of the courthouse after the hearing today. The case is referred to Legal Aid for legal assistance.

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Anely and Ramon Arguelles Jr., parents, appointed as limited co-conservators of the person only on 05/01/17.
- 2 Determination of Conservatee's Appropriate Level of Care form GC-355 filed on 05/04/18; however, the date of appointment in item 1 is incorrect. **JTD**.
- 3 Care Plan in accord with Pr.C.§2352.5 filed 05/04/18.
- 4 Notification of Conservatee's rights per Pr.C.§1830(c) filed 05/04/18.

RECOMMENDATION

Court's discretion.

(ww/cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600300

CASE NAME: MTR OF RAMON ARGUELLES

SEE ALSO 19, 21

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 ON CONSERVATORS

COUNSEL:

ANELY ARGUELLES (PCE)...
RAMON ARGUELLES JR (PCE)...PRO/PER
RAMON ARGUELLES (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from **03/19/18**. Prior to matter being called, judicial assistant received message that conservator unable to appear for hearing- Matter is continued to April 30, 2018- Mitchell Roth will give notice.

Continued from 04/30/18. Matter is continued to June 11, 2018; Court orders both co-conservators to be personally present in court at 9:30am in department S35. Court orders Anely Arguelles to report immediately to legal aid on the 10th floor of the courthouse after the hearing today.

THIS CASE SET FOR HEARING ON OSC re Sanctions of \$500.00 on Conservators.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. OSC set on 02/26/18 when both conservators did not appear at the Conservatorship Compliance Review hearing.
2. Anely and Ramon Arguelles, Jr., co-conservators/parents, are to be personally present.
3. Court set a sanction of \$500.00 for the conservators.

RECOMMENDATION

Court's discretion re OSC and sanctions.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600300

CASE NAME: MTR OF RAMON ARGUELLES

SEE ALSO 19, 20

HEARING:

Hearing Re: OSC RE SUSPENSION OF POWERS OF CONSERVATORS

COUNSEL:

ANELY ARGUELLES	(PCE)...
RAMON ARGUELLES JR	(PCE)...PRO/PER
RAMON ARGUELLES	(CTP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from **03/19/18**. Prior to matter being called, judicial assistant received message that conservator unable to appear for hearing- Matter is continued to April 30, 2018- Mitchell Roth will give notice.

Continued from 04/30/18. Matter is continued to June 11, 2018; Court orders both co-conservators to be personally present in court at 9:30am in department S35. Court orders Anely Arguelles to report immediately to legal aid on the 10th floor of the courthouse after the hearing today.

THIS CASE SET FOR HEARING ON OSC re Suspension of Powers of Conservators

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. OSC set on 02/26/18 when both conservators did not appear at the Conservatorship Compliance Review hearing.
2. Anely and Ramon Arguelles, Jr., co-conservators/parents, are to be personally present.
3. Court has discretion to suspend the co-conservators powers and appoint a replacement conservator.

RECOMMENDATION

Court's discretion re OSC.

(ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800093

CASE NAME: MTR OF DORIS A TORRES

HEARING:

Petition for Appointment of Conservator

COUNSEL:

LORRAINE BROWN	(CPE)...GARY M RUTTENBERG
RYAN BROWN	(CPE)...GARY M RUTTENBERG
DORIS A TORRES	(CEP)...
RAY HERNANDEZ	(CPE)...GARY M RUTTENBERG

GENERAL INFORMATION

Continued from 04/30/18 Court appoints Craig Parker as GAL for Doris A. Torres.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator, of the person and estate, by Lorraine Brown (daughter/Petitioner) and Ryan Brown (grandson/Petitioner) appointing Ray Hernandez (brother) and Lorraine Brown (daughter).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners request no bond as assets consist of limited pension, social security benefits and possible benefits from the 2014 Torres Family Trusts. **Supp. filed 04/23/18 indicates trust value may consist of at least one piece of real property with estimated worth of \$690,000 and petitioners request bond of \$690,000. Need total value of estate's yearly income to determine bond amount. JTD**
2. Petitioners report Deanne Salerno, daughter, is agent under various powers of attorney and has access to bank accounts of proposed conservatee. [Court to see Petition, LF p. 6]. **Declaration of Mary Jarrett, Notary indicates Deanne Salerno has been removed as agent for proposed conservatee.**
3. Nomination by proposed conservatee filed 03/22/18 via witness signature. **Declaration of Mary Jarrett, Notary re witnessing proposed conservatee's signature on nomination. JTD**
4. Citation with proof of service filed 04/23/18.
5. Petitioners seek medical powers. **Supp. filed 04/23/18 indicates petitioners recently were able to obtain physician's information and are awaiting a**

- response re Capacity Declaration. Need** Capacity Declaration with attachment(s).
6. Petitioner seeks dementia powers. **Need** appointment of counsel for report.
 7. Certificates of Completion of the Conservatorship Training Class by Lorraine Brown and Raymond Hernandez filed 05/03/18
 8. **Proof of service of Objections filed; however, objections not filed.**
 9. **Need** report of Craig Parker, GAL.
 10. Court Investigator report filed 04/24/18.
 11. ~Proposed Form Order: 03/22/18

RECOMMENDATION

Need to clear notes 1 & 5, then Court's discretion re Bond. If approved, set hearing for Compliance Review for **01/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); Care Plan per Pr.C.§2352.5; Inventory and Appraisal, and Proof of service of I & A Instructions for Objection per Pr.C. §2610; and recordation of letters, if applicable, per Pr.C. § 2313.

Set hearing re Accounting Review for **07/08/19**. Any accounting to be filed 30 days in advance.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800131

CASE NAME: MTR OF DAMIEN JOSEPH LIRA-CERDA

HEARING:
Petition for Appointment of Conservator

COUNSEL:

ANDREA C CERDA (CP)...CHARLES W TOURDOT
CHRIS E CERDA (CP)...CHARLES W TOURDOT
DAMIEN JOSEPH LIRA-CERDA (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Andrea and Chris Cerda, parents

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **Note: Proposed conservatee will not be an adult until 02/28/19. Does Court wish to continue matter to 03/04/19? JTD**
2. No bond- person only
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social/ vocational opportunities, authority to fix the residence/dwelling; authority to access confidential records/documents/reports & other info regarding the proposed conservatee, including those in the possession of the Regional Center, authority to control the right of conservatee to contract, authority to make & consent to medical decisions for the conservatee, authority to consent or withhold consent to marriage/domestic partnership, right to control social/sexual contacts, control decisions concerning education **JTD**.
7. Petitioner seeks civil rights not be limited without court order. **JTD**
8. Certificate of Completion of the Conservatorship Training Class for Andrea filed 05/02/18.

9. Certificate of Completion of the Conservatorship Training Class for Chris filed 05/04/18.
10. List of Required Contacts (Local form SB-12224) is missing siblings Cameron and Audrina. **Need** completed form.
11. **Need** return of citation.
12. **Need** Notice of Hearing and proof of service.
13. **Notice of no report by CI filed 05/30/18. Need** CI report.
14. ~Proposed Form Order: 05/01/18

RECOMMENDATION

Need appointment of Counsel, IRC report, CI report and to clear notes 3, 10-12. **Court's discretion re note 1. If** approved, set hearing for Compliance Review for **01/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PUBLIC GUARDIAN

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: CON DS1000032

CASE NAME: TONEY THOMAS

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN
YON SUK HERTSCH

(CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LAW GROUP

Ex-Parte Order that Conservator need not present Second Waiver of Account sent to department for signature on 06/07/18. Clerk's office to set next Accounting review for 06/03/19.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS0800186

CASE NAME: MTR OF GABRIELLE MARIE FRY

HEARING:

Accounting Review by ***

COUNSEL:

DONALD W FRY	(CP)...PRO/PER
KRISTINE M FRY	(CP)...PRO/PER
GABRIELLE MARIE FRY	(CTP/CEP)...E JOAN NELMS
PUBLIC GUARDIAN	(SC/CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. 2nd account by PG approved on 07/18/16.
2. Conservatee passed away on 01/07/17.
3. Notice of Death of Conservatee filed 04/03/17.
4. **Need** 3rd and final account including pre and post death accounting periods per Pr.C. § 2620 beginning with date of 04/03/15.

RECOMMENDATION:

Inquire status of accounting.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400244

CASE NAME: MTR OF ELAINE BEAUCLAIR

HEARING:

Petition for Second and Final For Attorney's Fees For
Compensation for Services Rendered etc

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
CALDWELL KENNEDY & PORTER (PET)...CALDWELL, KENNEDY & PORTER
ELAINE BEAUCLAIR (CEP/CEE)...ROSE C ROSADO
CALDWELL KENNEDY & PORTER (PET)...ROSE C ROSADO

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Second and Final Attorney's fees and
compensation

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Petitioner, Rose Rosado, was appointed counsel on August 21, 2014. Petitioner alleges that services have been rendered for which counsel has not been compensated for the period 11/05/15 to 06/11/18.
- 2 Attorney requests fees of \$3,337.50. Billed at \$300 hour for attorney time and \$150 hour for paralegal time. Itemized [LFp4-5].
- 3 Notice given.
- 4 ~Proposed Order: 05/09/18

RECOMMENDATION:

Court's discretion.

(cs)

Future Hearing: 6/25/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400264

CASE NAME: MTR OF OMAR S HERNANDEZ

HEARING:

FIRST Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
OMAR S HERNANDEZ (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Letters Expire: 11/03/18

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Conservator of the Person and Estate, Public Guardian ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period: 09/19/14-12/31/15
2. Assets on Hand \$913.30 in cash.
3. Public Guardian requests compensation in the amount of \$3,200.00, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
4. County Counsel request fees in the amount of \$1,600.00, deferred until such time as the conservatorship estate has sufficient funds for such purpose.
5. Summary of account, "Property on Hand at Beginning," and all supporting schedules indicate an accounting period end date of 12/31/16. Court may wish to clarify what the correct accounting period end date is. [LF pgs. 7-19] **JTD**
6. Conservator and Counsel failed to date their signatures. [LF pg. 6] **JTD**
7. Notice given.
8. ~Proposed Order: 09/14/17 is accurate if accounting end date is 12/31/15.

RECOMMENDATION:

Court's discretion. If approved, set for next Accounting Review on in 60 days as second account current is overdue.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600195

CASE NAME: MTR OF ROBERT J ALDRED

SEE ALSO 29

HEARING:

Hearing Re: STATUS RE IN HOME SUPPORT SERVICES & HOURS

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ROBERT J ALDRED	(CEP)...J. DAVID HORSPOOL
KENNETH DAVID HERRING	(CPE)...PRO/PER
J DAVID HORSPOOL	(PET)...DAVID J HORSPOOL

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 04/23/18 during Status of PT Cruiser hearing, wherein, Court addressed in home support services issues and found no claim for reimbursement by Rebecca Quirin re \$200.

RECOMMENDATION:

Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600195

CASE NAME: MTR OF ROBERT J ALDRED

SEE ALSO 28

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
ROBERT J ALDRED	(CEP)...J. DAVID HORSPOOL
KENNETH DAVID HERRING	(CPE)...PRO/PER
J DAVID HORSPOOL	(PET)...DAVID J HORSPOOL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. PG appointed as temporary conservator of the person and estate on 07/25/16 then general conservator of the estate only on 04/18/17, no bond.
2. **Need** 1st accounting beginning with date of 07/25/16.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1600306

CASE NAME: MTR OF OLETA RUTH BELANGER

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
OLETA RUTH BELANGER (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. PG appointed as temporary conservator of the person and estate on 11/07/16 then as general conservator of the person and estate on 04/03/17, no bond.
2. **Need** 1st accounting or waiver of account beginning with date of 11/07/16.

RECOMMENDATION:

Inquire status.

(ww)

Future Hearing: 10/28/19 Accounting Review *re trust*

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS0800595

CASE NAME: MTR OF BRANDON CARROLL SPECIAL NEEDS TRUST

SEE ALSO 32

HEARING: Re: STATUS RE ISSUES

COUNSEL:

MERRY CARROLL (PET)...BANDY & BANDY
DAVID DANIEL (PET)...
JENNIFER M. DANIEL (PET)...
THE BRANDON CARROLL SPECIAL NEEDS TRUST(TRU)...
AMERICAN CONTRACTORS INDEMNITY (TP)...TRACY A STEVENSON

GENERAL INFORMATION:

Matter set on 01/22/18.

Continued from **02/05/18** Court order 730 evaluation to be completed by either Dr. Zawicky or Dr. Leeb- bill to be submitted to public guardian for payment (CAP of Bill to be \$1,750 for fee for the evaluation). PG is to release the funds to pay for that evaluation. Court orders Brandon Carroll to return on 04/09/18.

Continued from 04/16/18 Mitchell Roth reports that Brandon Carroll is in the conference room with Dr Sawicky to conduct the 730 evaluation. Matter is continued to 06/11/18. Brandon Carroll is ordered to return to court at 10:00am on June 11, 2018 and court notes the funds of \$500 (cash) have been turned over to Mitchell Roth to be delivered to Brandon Carroll.

THIS CASE SET FOR HEARING ON Re: Status Re Issues

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Court ordered Public Guardian to make disbursement of \$500.00 payable to Mitchell Roth's Attorney client trust account by 01/24/18 and for funds to be made available for Brandon Carroll for clothing and transportation.
2. Court ordered Public Guardian to investigate as to whether or not conservatorship of person/estate is appropriate.
3. Court ordered Thomas Bandy to turn over all bank statements by 01/26/18 and a copy of the trust to Public Guardian. Public Guardian to have charge of account from Community Bank that is in the name of Brando Carroll special need trust.

RECOMMENDATION:
Inquire status
(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS0800595

CASE NAME: MTR OF BRANDON CARROLL SPECIAL NEEDS TRUST

SEE ALSO 31

HEARING:

Accounting Review by ***

COUNSEL:

MERRY CARROLL (PET)...BANDY & BANDY
DAVID DANIEL (PET)...
JENNIFER M. DANIEL (PET)...
THE BRANDON CARROLL SPECIAL NEEDS TRUST(TRU)...
AMERICAN CONTRACTORS INDEMNITY (TP)...TRACY A STEVENSON

GENERAL INFORMATION:

Continued from **07/24/17**. Court will not grant any further continuances for this accounting. Continued from **01/22/18** at requests of counsel. Court orders PG to make disbursement of \$500.00 payable to Mitchell Roth's Attorney client trust account by 01/24/18 that will be made available for Brandon Carroll for clothing and transportation. PG to investigate as to whether or not conservatorship of person/estate is appropriate. Thomas Bandy (attorney for former Trustee) to turn over all bank statements by 01/26/18 and a copy of the trust to PG. PG to have charge of account from Community Bank that is in the name of Brandon Carroll special need trust.

Continued from 02/05/18 for public guardian to file accounting. Accounting to be filed by 4pm 05/11/18; Clerk's office is ordered to set the accounting for 06/11/18, 10am in Dept. 35 if the accounting is filed by the deadline of 05/11/18 by 4:00 pm.

THIS CASE IS SET FOR HEARING ON Accounting Review by Public Guardian

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Public Guardian appointed as temporary trustee on 03/03/16 and subsequently as Interim Successor Trustee on 03/16/16.
2. Final Inventory and Appraisal filed 07/28/17.
3. **Need 1st SNT account.**

RECOMMENDATION:

Inquire status of accounting.

(nb/ww/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: SC SS03123

CASE NAME: MTR OF MIRIAM Y. GIRON

HEARING:

Hearing Re: NOMINATION OF DEPT. OF DEVELOPMENTAL SERVICES

COUNSEL:

JAZMIN K. GIRON	(CP)...PRO/PER
MIRIAM Y. GIRON	(CTP/CEE)...SHERRI L KASTILAHN
PUBLIC GUARDIAN	(SC)...COUNTY COUNSEL
MARIA G GIRON	(CP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Nomination of Dept. of Developmental Services

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set by Court on 04/02/18 at the Hearing re: Appointment of Public Guardian as Successor Conservator.
2. Court terminated the powers of co-conservators- Jazmin (sister) and Maria Giron (mother) and appointed the PG as temporary successor conservator of the person only.
3. Court ordered that there is to be no visitation between conservatee and Jazmin Giron and Maria Giron.

RECOMMENDATION

Inquire status of nomination of Department of Developmental Services.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS02414

CASE NAME: MTR OF LARRY SPENCER

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
LARRY C SPENCER (PET)...HARTNELL LAW GROUP

GENERAL INFORMATION

LPS Letters expire 1/6/18.

Continued from 3/21/16, 08/22/16, 04/03/17 and 12/04/17

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 3/16/15 Court approved the 2nd Account Current for the period ending 5/27/14.
2. First Supplemental Inventory and Appraisal filed.
3. Need an accounting.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(dl/sa/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: SLC SS6826

CASE NAME: IN THE MATTER OF DANIEL MULVIHILL

HEARING:

Accounting Review by ***

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DANIEL MULVIHILL (CEP)...HARTNELL LAW GROUP

GENERAL INFORMATION

Letters expired 06/01/15.

Continued from 10/24/16, 03/13/17 and 10/30/17 at request of counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Ex Parte Order that Conservator need not present 24th account by PG approved on 01/20/15 then the Amended Order on same accounting was approved on 04/16/18.
2. **Need** 25th accounting or waiver of account beginning with date of 10/28/14.

RECOMMENDATION:

Inquire status of accounting. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(nb/ww)

HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1400163

CASE NAME: FRANK ESCALANTE

HEARING:

Hearing Re: petition for authority to establish an irrevocable

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
FRNAK ESCALANTE (CTE)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to establish Irrevocable Burial Trust by Public Guardian.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Petitioner alleges the current assets on hand are \$2,973.66, that there are sufficient funds to provide for conservatee's ongoing care and to establish a burial trust, and that the eligibility criteria for Social Security Disability does not allow for the recipient's account exceed \$2,000.
2. Petitioner requests authority to deposit up to \$5,000.00 in an Irrevocable Burial Trust.
3. Notice given.
4. ~Proposed Order: 05/17/18

RECOMMENDATION:

Court's discretion.

(cs)

HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1601089

CASE NAME: Dean Revocable Living Trust

HEARING:
Report Sale and Petition for Order Confirming Sale of Real Property.

COUNSEL:
PUBLIC GUARDIAN (PET)...COUNTY COUNSEL
DEAN REVOCABLE LIVING TRUST (TRU)...

GENERAL INFORMATION:

Address: 2770 Rippling Brook Place, Ontario, CA 91761

Appraised Value: \$430,000

Sale price: \$415,000

First overbid: Original bid should be \$415,000. Need corrected formula for overbids.
a: original bid \$415,000
b: 10% of first \$10,000 of original bid: \$1,000
c: 5% of (original bid minus \$10,000): \$20,250
d: minimum over bid: \$436,250
Required amount of first overbid should be \$436,250

Deposit: \$41,500 (10%)

Commission: \$24,900 (6%)

Additional bond: Not required.

Reason for Sale: The sale is to the advantage of the estate and in the best interest of the interested person. Necessary to pay debts and expenses of conservatee.

Exposure to Market: Notice of sale was posted at San Bernardino Courthouse , Office of the Public Guardian Lobby, Public Guardian Warehouse, and published in the local newspaper.

Notice: **Need** notice to Guston Dean, son. **Need** proof of Posting by clerk.

Future Hearing Dates: Accounting Review 04/15/19

~Proposed Form Order: 05/31/18

(cs)

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Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT TRIAL

DATE: 06/11/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1600381

CASE NAME: MATTER OF STOUT TRUST
SEE ALSO 37, 38

HEARING:
Hearing Re: COURT TRIAL (FIRST DAY)

	COUNSEL:
KRAIG STOUT	(PET)...FULLERTON LEMANN SCHAEFER & DO
STOUT TRUST	(TRU)...
KEVIN STUOT	(PET/TEE)...GUAY P WILSON

No notes – Trial. JTD

Future Hearings:

6/12/18 Court Trial (Day 1)

6/13/18 Court Trial (Day 2)

6/14/18 Court Trial (Day 3)

6/15/18 Court Trial (Day 4)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1600381

CASE NAME: MATTER OF STOUT TRUST

SEE ALSO 36, 38

HEARING:

Hearing Re: ACCOUNTING/PETITION FOR FEES

COUNSEL:

KRAIG STOUT
STOUT TRUST
KEVIN STUOT

(PET)...FULLERTON LEMANN SCHAEFER & DO
(TRU)...
(PET/TEE)...GUAY P WILSON

GENERAL INFORMATION:

Continued from 11/29/16. Objections to be filed in writing by 4pm.

Continued from **05/11/17 and 05/25/17.**

Continued from 05/10/18 Counsel announce ready for trial.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Trustee, Kevin Stout.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 02/19/12 to 07/31/16.
2. Assets on Hand \$373,512.00 consisting of \$23,512 in cash and \$350,000 remaining in real property.
3. Summary of Account values real property at \$300,000. However, LF, p. 3 reflects real property at \$350,000. **Need** further clarification via verified supplement and affected schedule(s).
4. Account does not include cash and non-cash schedules reflecting assets on hand at the end of the account period. **Need** same via verified supplement.
5. **Need** copies of bank/financial statements per Local Rule 20-908.
6. **Objections filed by Kraig Stout, beneficiary, on 11/29/16.**
7. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 3-5; matter is contested. If approved, set next hearing for Accounting Review for **07/19/18.**

(nb/lc/cs)

Future Hearings:

6/12/18 Court Trial (Day 1)

6/13/18 Court Trial (Day 2)

6/14/18 Court Trial (Day 3)

6/15/18 Court Trial (Day 4)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 06/11/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1600381

CASE NAME: MATTER OF STOUT TRUST

SEE ALSO 36, 37

HEARING:

Hearing Re: PTN FOR REMOVAL OF TRUSTEE & APPT OF SUCC TRUSTEE

COUNSEL:

KRAIG STOUT
STOUT TRUST
KEVIN STUOT

(PET)...FULLERTON LEMANN SCHAEFER & DO
(TRU)...
(PET/TEE)...GUAY P WILSON

Currently under review by legal research.

Notice not re-reviewed.

(lc/cs)

Future Hearings:

6/12/18 Court Trial (Day 1)

6/13/18 Court Trial (Day 2)

6/14/18 Court Trial (Day 3)

6/15/18 Court Trial (Day 4)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600195

CASE NAME: MTR OF JOSE GONZALES ALCALA

HEARING:

FIRST AND FINAL Account and Report of STEVEN C ALCALA and
Petition for allowance of fees filed.

COUNSEL:

STEVEN C ALCALA (PET)...PATTERSON LAW FIRM, APC
JOSE GONZALES ALCALA (DEC)...
SURETEC INSURANCE (TP)...

GENERAL INFORMATION:

Continued from 04/16/18 at request of counsel to clear probate notes.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Statutory and Extraordinary Fees; Reimbursement of Costs and for Final Distribution by son Steven Alcala, administrator/Petitioner

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Assets on hand: \$232,340.36 in cash. **(Supp. 03/15/18 that additional amounts of \$350.00 for tax preparation and \$86.02 should be deducted from assets on hand.)**
- 2 Current bond of \$20,000.00 is filed.
- 3 Petitioner and Attorney request statutory fees of \$7,660.00. Calculated.
- 4 Attorney request extraordinary fees of \$997.50 for 3.60 hours of attorney time at \$350.00/hour; however, the fees do not appear to qualify as extraordinary under CRC 7.703. Itemized. [LF pg. 13]. **Supp. 04/19/18 indicates extraordinary fees requested pertain to status report and tax return preparation which attorney argues is not part of the extraordinary fee; however, tasks were required to close the estate and tax return preparation required additional attention due to the nature of the assets, and how taxed in the estate (inheritance from another state and multiple beneficiaries). JTD**
- 5 Attorney requests reimbursement for advanced costs in the amount of \$3,471.45; however, the following issues exist: Itemized. [LF pg. 14]

- a. A filing fee is not charged for filing of a bond waiver, supplement to the petition for probate, notice of hearing, or an inventory & appraisal. **Supp. 04/16/18, indicates fees paid to DDS for filing documents with the court.**
- 6 Petitioner indicates that disbursements were made from the estate for airfare to Mission Valley Bank and for a locksmith to open the decedent's safe deposit box in the amount of \$726.00 [LF pg. 20] **JTD**
- 7 Petitioner requests that the share as to Laura Alcala Brent be distributed to Lisa Pereau, trustee of the Laura Alcala Brent Special Needs Trust dated June 2, 2017, as Laura is disabled and receives state assistance. [LF pg. 11] **JTD**
- 8 Petitioner requests to be exonerated from any further liability upon execution of the Order Settling First and Final Account; however, petitioner is generally liable until official discharge by the Court. **JTD**
9. **Need** bank statements verifying date of death balances per Local Rule 20-908 for Bank of America account #s 7947, 7056 and Mission Valley Bank Account in support of the Inventory and Appraisals. **I & A Partial 1 filed 04/19/18 attaches bank statements reflecting balances for dates of 12/27/16 & 06/25/14 and indicates these are the closest statements petitioner was able to obtain. These do not reflect 01/01/16 date of death balances. JTD**
- 9 Notice given.
- 10 No proposed order.

RECOMMENDATION:

Need to clear notes 5 & 9 then Court's discretion. If approved, Court to set hearing on filing of receipts and final discharge for **04/22/19**.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600926

CASE NAME: MTR OF WILLIAM LEROY BIXENMAN

HEARING:

Accounting Review by ***

COUNSEL:

MARLENE BIXENMAN (PET)...RYAN J GALLANT
WILLIAM LEROY BIXENMAN (DEC)...

GENERAL INFORMATION:

Continued from **01/09/18 and 02/26/18** to file accounting.

Continued from 04/09/18 at request of counsel to file accounting. Counsel reports he is close to having report ready for filing and requests additional time.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Special Administration issued 09/22/16 to Marlene Bixenman , sister-in-law, \$68,000 bond. General letters issued 11/09/16, full authority, \$68,000 bond.
2. Partial inventory and appraisal filed 07/28/17. Partial #2/Final inventory and appraisal filed 02/07/18.
3. **Need** accounting or status report.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(nb/ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601066

CASE NAME: MTR OF FRANK J DELGADO

HEARING:

Accounting Review by ***

COUNSEL:

CYNTHIA L ELLIS-DELGADO (PET)...PRO/PER
FRANK J DELGADO (DEC)...

GENERAL INFORMATION

Continued from **02/26/18** at request of court due to no appearance. Cynthia Ellis-Delgado is ordered to be present at next hearing.

Continued from 04/09/18 There being no appearance by Ms. Ellis-Delgado at today's hearing and there being no accounting filed, the Court issues a Citation to Cynthia Ellis-Delgado to appear before the Court. Citation issued to: CYNTHIA ELLIS-DELGADO who is cited and required to appear on 06/11/18 at 8:30 and show cause why FTA/failure to file accounting.

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued to Cynthia Ellis-Delgado, spouse, on 12/19/16; full authority, no bond.
2. **Need** Final Inventory and Appraisal
3. **Need** accounting or status report.
4. Proof of unsuccessful service filed 05/04/18.

RECOMMENDATION

Inquire status of accounting and Final Inventory and Appraisal. When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700074

CASE NAME: MARY MARGURETTE HALE

HEARING:

Accounting Review by ***

COUNSEL:

KEITH W HALE (PET)...RICH HARRIS, A LAW CORPORATION
PAMELA R NUNN (PET)...RICH HARRIS, A LAW CORPORATION
MARY MARGURETTE HALE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. *Letters* Testamentary issued to Keith Hale and Pamela Nunn, son/daughter, on 04/03/17; full authority, no bond.
2. **Need** Final Inventory and Appraisal.
3. Need accounting or status report.

RECOMMENDATION

Inquire status.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701075

CASE NAME: DIRK JAMES LOCEY

HEARING: First and Final Report of Admin Account and Report of JAN CROOKS
and Petition for allowance of fees filed.

COUNSEL:

JAN CROOKS (PET)...MCCARTHY LAW FIRM
DIRK JAMES LOCEY (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON First and Final Account and Petition for allowance of Fees, by sister Jan Crooks, [Administrator/Petitioner]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This is an ancillary proceeding. Letters of Administration issued to petition in Washington State on 09/22/17 under case 17-40006625
2. Sole heir waives accounting.
3. Assets on Hand \$85,481.94 consisting of cash placed in blocked account under jurisdiction of the court in Washington proceeding.
4. **Need** bank statement to support ending balance per Local Rule 20-908.
5. **Need** Final Inventory and Appraisal.
6. Petitioner waives statutory fees in this proceeding; however, Petitioner reserves the right to seek and received compensation in the Washington proceeding.
7. Attorney is entitled to statutory fees of \$8,300 [calculated]; however, attorney agrees to accept \$7,500 once disbursement from the Washington proceeding is approved.
8. **Need** findings re character of estate: sole and separate property
9. **Need** Notice of Hearing with proof of service. Pr.C. §1220(2)(c); Pr.C. § 11000(a)(5)
10. **Need** petition to be verified per Pr.C. § 1021
11. ~Proposed Order 05/07/18

RECOMMENDATION:

Need to clear notes 4-5 and 8-10, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **06/07/19**
(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800206

CASE NAME: MTR OF JANE Y KEATON

HEARING: re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

LISA KAY SPERRIKO (PET)...HEATHER V WELLBORN
JANE Y KEATON (DEC)...

GENERAL INFORMATION

Continued from 04/09/18 at request of counsel to clear probate notes.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by daughter, Lisa Sperriko, [Executor /Petitioner]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Will waives bond. Estate value is \$95,400 with \$400 in personal property. However, petitioner is non-resident and court has discretion to require bond per Pr.C. §8571 or may for good cause require that a bond be given, either before or after issuance of letters. Pr.C. §§8481(b). **JTD**
- 2 Cheri Bosco (deceased) who is mentioned in will is not listed in section 8 of petition.
- 3 Section 5(b) re whether decedent survived by stepchild or foster child is incomplete. **Need** verified supplement.
- 4 Duties and Liabilities is missing telephone number. **Need** same.
- 5 **Need** Notice to Petition to Administer Estate and proof of service.
- 6 **Need** proof of publication.
- 7 ~Proposed Form Order: 04/03/18

RECOMMENDATION

Need to clear notes 3-6, Court's discretion re bond. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800444

CASE NAME: PHILLIP L MCNORTON

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

TYLA GOWER (PET)...MARA ALLARD
PHILLIP L MCNORTON (DEC)...

Waiver of Court Fees and Costs filed by TYLA GOWER is GRANTED

XREF: PROPS1800412 PHILLIP L MCNORTON

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA, by niece of predeceased spouse, Tyla Gower, [Administrator/Petitioner]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner does not indicate bond amount. Estate value is \$200,000 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code §8481(b). Suggest \$200,000 bond.
2. Children of predeceased spouse have higher priority of appointment; however, there are no objections filed.
3. **Need** Notice to Petition to Administer Estate and proof of service.
4. **Need** proof of publication.
5. ~Proposed Form Order: 05/08/18

RECOMMENDATION

Need to clear notes 3-4. Court's discretion re bond. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800446

CASE NAME: CLARA PARKER

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

MICHAEL T PARKER (PET)...GEORGINA LEPE
CLARA PARKER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA, by son, Michael Parker, [Administrator/Petitioner].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waive bond. Net estate value \$259,001 consisting of real property. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code §8481(b).
2. **Need** proof of publication.
3. ~Proposed Form Order: 05/08/18

RECOMMENDATION

Need to clear notes 2. Court's discretion re bond. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800450

CASE NAME: CORINA ARAGON

HEARING:

Petition to determine succession to Real Property

COUNSEL:

SHERI GENAWAY-COE (PET)...FULLERTON LEMANN SCHAEFER & DO
CORINA ARAGON (DEC)...

XREF: PROPS1800451 *NANCY LEE GENAWAY*

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Sheri Genaway-Coe successor in interest

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, Sheri Genaway-Coe successor in interest in the estate of Nancy Genaway seeks 100% interest, in decedent's 100% interest; in real property per the will.
2. Notice given.
3. ~Proposed Form Order: 05/09/18

RECOMMENDATION

Court's discretion.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800456

CASE NAME: ROSE A WALKER

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

CATHERINE FAIR (PET)...STEPHEN P JANIS
ROSE A WALKER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by granddaughter, Catherine Fair, [Executor/Petitioner]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. Net estate value \$410,000 with \$10,000 in personal property. The court may for good cause require that a bond be given, either before or after issuance of letters. (Prob. Code, § 8481(b)).
2. Named executor John Garaby signed Declination.
3. Court to inquire if Marjorie Fair-Dominguez is the same person as Marjorie Walker Fair and Patricia Martinez is the same person as Patricia Walker.
4. Notice to petition to Administer estate includes decedent's aka's. Does Court wish to require amended petition to include akas? JTD
5. **Need** proof of publication.
6. ~Proposed Form Order: 05/10/18

RECOMMENDATION

Need to clear notes 5, then Court's discretion re bond. If approved, set Accounting/Status Review for 08/19/19. Any accounting to be filed 30 days in advance local rule 20-901.

Note requirements of local rule 20-908.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS**

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: TRU PS1800014

CASE NAME: The Mc Dermott Family Trust dated 10/23/1998

HEARING:

Petition for determination of trust assets

COUNSEL:

DAVID F MCDERMOTT (PET)...ROQUEMORE PRINGLE & MOORE
THE MC DERMOTT FAMILY TRUST(TRU)...

Currently under review by legal research.

(LR)

NOTICE: Notice filed 01/29/18; however, description of property and statement advising persons they may file a response Pr.C. § 851(c)(1), 851(c)(3) [2018 AB 308, Maienschein] is not indicated.

All beneficiaries signed consent and waiver of bond.

(lc/ww/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:30 DEPT: S36P

CASE#: TRU PS1800104

CASE NAME: THE SCHANKS REVOCABLE TRUST 05/21/2004

HEARING:
Petition for TO INSTRUCT TRUSTEE

COUNSEL:

MAXINE LEWIS (PET)...CHANDLER LAW FIRM
THE SCHANKS REVOCABLE TRUST (TRU)...

Currently under review by Legal Research.
(LR)

Notice given.
(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800094

CASE NAME: MTR OF 2012 MONCADA FAMILY TRUST

HEARING:
Case Management Conference

COUNSEL:
NADINE QUEZADA (PET)...OWENBY & OWENBY
2012 MONCADA FAMILY TRUST (TRU)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Case Management Conference transfer in from Los Angeles County.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Valerie Guy is the Trustee of the 2012 Monaca Family Trust created 12/11/12. Copy of Trust filed 07/24/17.
2. Los Angeles County ordered matter transferred to San Bernardino County on 10/04/17 per minute order. **Case transferred to San Bernardino County on 05/07/18.** Question where day-to-day principal place of administration of the trust is located. Court to inquire.
3. Petition to remove trustee Valerie Guy, Compel to Account and Appoint Successor Trustee by Nadine Quezada (beneficiary) filed in Los Angeles County on 07/24/17. At the hearing Court set matter off calendar and ordered matter transferred to San Bernardino County.
4. **Need** to set hearing re Petition to remove Trustee, to Compel to Account and Appoint Successor Trustee .

RECOMMENDATION:

Court's discretion re note 2 and 4.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800096

CASE NAME: Trust created under the Will of June Smiderly

HEARING:

Petition for appointment of successor trustee of trust B created under the last will and testament

COUNSEL:

WILLIAM SMIDERLY (PET)...VARNER & BRANDT
TRUST CREATED UNDER THE WILL OF JUNE SMIDERLY (TRU)...

Currently under review by Legal Research.
(LR)

Notice given.
(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200064

CASE NAME: IN MATTER RE JAVIER NAVARRO

HEARING:

Accounting Review by ***

COUNSEL:

PAULA HERNANDEZ DE GARCIA
JAVIER NAVARRO

(CPE)...BROCK LAW OFFICE
(CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Ex Parte Petition to Dispense with Accounting and Order approved on 06/14/16.
- 2 **Ex Parte Petition to Dispense with Accounting and Order forwarded to dept. on 05/31/18 for review.**

RECOMMENDATION:

Court's Discretion.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500050

CASE NAME: Glen William Heymans

SEE ALSO 17

HEARING: Motion Re: For Transfer of Petition to Return of Personal
Property etc Filed by Petitioner GLEN WILLIAM HEYMANS

COUNSEL:

CHARMAINE GONZALEZ	(PET)...G STEVEN GACKLE
JASON HEYMANS	(PET)...G STEVEN GACKLE
GLEN WILLIAM HEYMANS	(PET/CEE)...MATTHEW E. SHEASBY

Currently under review by Legal Research.
(LR)

GENERAL INFORMATION:

Continued from 04/09/18 non appearance. Court orders all counsel to be present at 06/11/18 hearing.

THIS CASE SET FOR HEARING ON Motion Re Transfer of Petition to Return of Personal Property etc. by Glen Heymans [Conservatee/Plaintiff]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Glen Heymans seeks to transfer venue re matter filed herein under Petition to Return of Personal Property per C.C.P. § 396a(b). [See matter # 17].
2. Conservatee acknowledges that venue is improper given that defendants' reside in Riverside. Conservatee seeks to transfer matter to Riverside County, unless the defendants agree to keep the action in San Bernardino County.
3. **Need** notice to defendants: Michael Denney, Erick Brandel and Caleb Brandel.
4. Order filed 03/06/18: Contains several blank lines. Per Local Rule 20-614 all orders must be complete in themselves

RECOMMENDATION:

Need to clear note 3, then Court's discretion.

(cs)

Future Hearings: 08/01/18 Conservatorship Compliance Review Hearing
Accounting Review
Probate Status Report

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500050

CASE NAME: Glen William Heymans

SEE ALSO 16

HEARING:

Petition for RETURN OF PERSONAL PROPERTY

COUNSEL:

CHARMAINE GONZALEZ	(PET)...G STEVEN GACKLE
JASON HEYMANS	(PET)...G STEVEN GACKLE
GLEN WILLIAM HEYMANS	(PET/CEE)...MATTHEW E. SHEASBY

GENERAL INFORMATION

Continued from 04/09/18 non appearance. Court orders all counsel to be present at 06/11/18 hearing.

THIS CASE IS SET FOR HEARING ON Pr. C. §850 Petition for Return of Personal Property by Glen Heymans, [Plaintiff]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Plaintiff, Glen Heymans, seeks to recover missed payments due him as a result of a contract entered by him, through his then girlfriend as she exercised power of attorney, with defendants Michael Denney, Erick Brandel, and Caleb Brandel for the purchase of 10,000 shares of the stock of Armtech Security Burglary & Fire Co, Inc.
2. The agreement was for a purchase price of \$250,000 for 10,000 shares of Armrtech stock which was to be paid back in 108 monthly installments in the amount of \$2,314.89 commencing 30 days after February 9, 2008. Copy of agreement attached, [LF,p.8-32].
3. A conservatorship of the person and estate was granted on 07/02/15 to daughter (Charmaine Gonzalez) and son (Jason Heymans) over plaintiff to facilitate his role in the litigation process.
4. Conservators discovered information regarding the stock purchase agreement which was supposed to provide a final payment on or about March 2017. The exact monetary amount suffered as a direct and proximate result of the breach is unknown at this time.

5. The conservatorship matter established proper venue in this matter; however, defendants' reside in Riverside County. A motion to transfer matter has been filed concurrently. See notes on matter #16.
6. Plaintiff seeks an order to enforce the contract, compensatory damages, interests according to law and other relief as the court deems jus and proper.
7. **Need** notice of hearing with proof of service per Pr.C. §851(a). **Need** proof of served summons on Michael Denney, Erick Brandel, and Caleb Brandel.
 - a. **Proof of service of Summons filed 05/24/18 on Caleb Brandel; however, only 15 days' notice given.**
 - b. Due Diligence Declaration filed 06/01/18 as to Erick Brandel. **JTD**
 - c. **Proof of service of Summons filed 05/24/18 as to Michael Denney; however, proof indicates Guardianship or Conservatorship, petition served. JTD**
8. Order filed 03/08/18: Contains several blank lines. Per Local Rule 20-614 all orders must be complete in themselves

RECOMMENDATION:

Court's discretion.

(cs)

Future Hearings:

08/01/18 Conservatorship Compliance Review Hearing

Accounting Review

Probate Status Report

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800006

CASE NAME: TERRY CORTEZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
RAYMOND CORTEZ (PET)...PRO/PER
TERRY CORTEZ (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

Raymond Cortez, son, appointed as Temporary Conservator of the person only on 01/22/18, no bond. Counsel represents that Ms. Cortez consents to conservatorship. Continued from **02/20/18**.

Continued from 04/02/18 Court will continue matter; Judge Pro Tem, Mitchell Roth, is the assigned Attorney for Terry Cortez.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person by son, Raymond Cortez ["Petitioner"].

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No bond – person only.
2. Petition has the following issues:
 - a. Section 1d requests 2590 powers;
 - b. Section 1g does not request medical powers;
 - c. Section 1k re dementia is incomplete;
 - d. Section 11 does not include petitioner or indicate relationships of those listed. Does Court wish to require an amended petition or verified supplement? **JTD**.
3. Petitioner seeks medical powers. **Need** Medical Capacity Declaration with Dementia Attachments GC-313 & GC-335A.
4. Petitioner does not request dementia powers although temporary petition indicates conservatee has dementia. Report of Counsel, Mitchell I. Roth, filed on 02/20/18.
5. List of Required Contact Information is missing all relatives within the second degree as listed in the petition. **Need** completed form.
6. CI report filed 02/13/18.
7. Certificate of Completion re Conservatorship Class filed 02/01/18.
8. **Need** return of Citation.

9. **Need** Notice of Hearing and proof of service to all relatives within the 2nd degree.
10. **Objections filed 05/23/18 by Susie Salazar (daughter of proposed conservatee). Need proof of service to Ricky Cortez.**
11. Exhibits and witness list filed 05/23/18 by Susie Salazar. **Need** proof of service.
12. ~Proposed Form Order: 01/05/18.

RECOMMENDATION:

Need to clear notes 3, 5, 8 & 9. If approved, set hearing for Compliance Review for **01/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb/ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800046

CASE NAME: GARLAN WILSON

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ADDIE WILSON (PET)...MAREND M GARRETT
GARLAN WILSON (CTP)...SHERRI L KASTILAHN

GENERAL INFORMATION

Continued from 04/02/18 Court has read and reviewed the report from Inland Counties Regional Center filed on 03/27/18. Matter ordered continued for completion of Conservatorship training class.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Addie Ramsey, mother

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No bond- person only
2. Petitioner seeks medical powers. Capacity Declaration filed 03/01/18; however, section 7b is not initialed. **JTD**.
3. Proposed conservatee is developmentally disabled. Sherry Kastilahn appointed as counsel. **Need** Report of counsel Sherri Kastilahn,
4. IRC report filed 03/27/18.
5. Petitioners request Pr. C. § 2351.5 powers to make decisions regarding education; authority to fix the residence/dwelling; authority to access confidential records/documents/reports & other info regarding the proposed conservatee, including those in the possession of the Regional Center, authority to control the right of conservatee to contract; authority to make & consent to medical decisions for the conservatee; authority to consent or withhold consent to marriage or entrance into a registered domestic partnership.
 - a. The right to control his own social and sexual contacts and relationships,
6. Petitioner seeks civil rights not be limited without court order. **JTD**
7. **Need** Notification of Court of Conservatorship Address. (Local form SB-14522)
8. Return of citation with proof of service filed 03/01/18.

9. **Need** Certificate of Completion of the Conservatorship Training Class.
10. Notice of Hearing and proof of service filed 04/06/18 and 03/01/18; however, item 5 does not indicated whether copy of the petition was served. **JTD**
11. CI report filed 03/28/18.
12. ~Proposed Form Order: 02/23/18

RECOMMENDATION

Need Report of Counsel, and to clear notes 7 & 9. If approved, set hearing for Compliance Review for **11/05/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800134

CASE NAME: MTR OF JONATHAN ALFONSO GONZALEZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:

ALFONSO GONZALEZ	(CP)...PRO/PER
MARTHA GONZALEZ	(CP)...PRO/PER
JONATHAN ALFONSO GONZALEZ	(CTP)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only, by Alfonso Gonzalez [Petitioner/father] appointing: Alfonso and Martha Gonzalez (parents)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Person only- no bond.
2. Request to Excuse Notice with Due Diligence Declaration filed 05/09/18 as to Gilberto Villa (maternal grandfather). JTD
3. Petitioner seeks powers re habilitation, treatment, training, medical etc. JTD
4. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make and consent to all medical decision. JTD
5. Petitioner seeks civil rights not be limited without court order.
6. Capacity Declaration filed 05/03/18; however page one is not dated at signature line by doctor. Does court wish to require new capacity Declaration? **JTD**
7. Confidential Conservator Screening forms filed 05/03/18. However, **section 18 re currently licensed by the Professional Fiduciaries Bureau of the Department of Consumer Affairs is incomplete. Court to clarify on record.**
8. Proposed conservatee is developmentally disabled. **Need** report of Walter Moore, court appointed counsel
9. Proposed conservatee is developmentally disabled. **Need** IRC report.
10. **Court Investigator reports filed 05/30/18.**
11. Citation with proof of service filed 05/09/18.

12. List of Required Contacts does not include Alfonso Gonzalez (paternal grandfather) and siblings (Matthew, Steven and Gilberto). **Need** completed form.
13. **Need** Certificate of Completion of the Conservatorship Training Class by Martha Gonzalez.
14. Certificate of Completion of the Conservatorship Training Class for Alfonso Gonzalez filed 05/07/18.
15. ~Proposed Form Order: 05/03/18

RECOMMENDATION

Need IRC report and appointed counsel's report and to clear notes 12-13. If approved, set hearing for Compliance Review for 01/14/19 for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800135

CASE NAME: YARGET A. MARTINEZ
HEARING: Petition for Appointment of Conservator

COUNSEL:

JEANNETTE MARTINEZ (CP)...PRO/PER
YARGET A. MARTINEZ (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only, by mother, Jeannette Martinez [Petitioners]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Person only- no bond.
2. Proposed conservatee will reach age 18 on 06/26/18.
3. Petitioner seeks powers re habilitation, treatment, training, medical etc. JTD
4. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make and consent to all medical decision. JTD
5. Petitioner seeks civil rights not be limited without court order
6. Capacity Declaration filed 05/03/18; however section 2 is missing doctor's telephone number and page one is not dated at signature line by doctor. Does court wish to require new capacity Declaration? **JTD**
7. Proposed conservatee is developmentally disabled. **Need** report of Donnasue Ortiz, court appointed counsel.
8. Proposed conservatee is developmentally disabled. **Need** IRC report.
9. **Court Investigator reports filed 05/31/18.**
10. **Need** return of Citation.
11. **Need** notice of hearing and proof of service.
12. **Need** Certificate of Completion of the Conservatorship Training Class.
13. ~Proposed Form Order: 05/03/18

RECOMMENDATION

Need IRC report and appointed counsel's report, and to clear notes 10-12. If approved, set hearing for Compliance Review for 01/14/19 for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800136

CASE NAME: MTR OF TRAVIS R J SMITH

HEARING: Petition for Appointment of Conservator

COUNSEL:

VINETTA BRADLEY (CP)...PRO/PER
TRAVIS R J SMITH (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only, by Mother Vinetta Bradley, [Petitioner]

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Person only- no bond.
2. Petitioner seeks powers re habilitation, treatment, training, medical etc. JTD
3. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make and consent to all medical decision. JTD
4. Petitioner seeks civil rights not be limited without court order.
5. Proposed conservatee is developmentally disabled. **Need** report of Edward Fischel, court appointed counsel.
6. Proposed conservatee is developmentally disabled. **IRC letter filed 06/05/18.**
7. **Need** Court Investigator report.
8. Petitioner seeks medical powers. **Need** Capacity Declaration.
9. **Need** notice of hearing and proof of service.
10. **Need** return of Citation.
11. **Need** Certificate of Completion of the Conservatorship Training Class.
12. ~Proposed Form Order: 05/03/18

RECOMMENDATION

Need CI report and appointed counsel's report and to clear notes 8-11. If approved, set hearing for Compliance Review for 01/14/19 for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(cs)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 06/11/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0700254

CASE NAME: NEAL EDWARD SUAREZ

HEARING:
Hearing Re: Concerns in CI Report

COUNSEL:
NORMA PAMPIN (CPE)...ROBERT E PEARSON
EDWARD NEAL SUAREZ (CEE)...WALTER T MOORE

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Concerns in CI Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 05/14/18 after Court reviewed memo from the Court Investigator, filed 05/09/18, re concerns in the report.
2. Court reappoints attorney Walter Moore. **Need** report of counsel.

RECOMMENDATION:
Need report of counsel, then Court's discretion.
(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400479

CASE NAME: Richard Edson Holdaway

HEARING:

WAIVER Account and Report of RICHARD EDSON HOLDAWAY and Petition for allowance of fees filed.

COUNSEL:

PATRICIA C EVERETT

(PET)...BRYAN C HARTNELL

RICHARD EDSON HOLDAWAY

(DEC)...

RICHARD EVERETT HOLDAWAY

(PET)...DIANE E ROBBINS

Waiver of Court Fees and Costs filed by PATRICIA C EVERETT is GRANTED

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of Account and for Fees by Richard Everett Holdaway, son/executor/trustee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period: 06/13/13-04/15/18
2. Assets on Hand: \$0
3. Petitioner waives statutory compensation.
4. Statutory fees to Attorney would be \$0 as there are no assets in the estate.
5. Notice given.
6. Proposed Order: 04/27/18 indicates that no creditor's claim was filed; however, one was filed per the accounting report; need statement re: notice per Pr.C. § 9202, statement re: sole/separate property

RECOMMENDATION

Court's discretion. If approved, set hearing re receipts and final discharge for **06/07/19**.

(ww)

Future Hearing: 7/05/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600207
CASE NAME: EDDIE HERNANDEZ

HEARING: FIRST & FINAL Account and Report of KOREN MATTSON and Petition
for allowance of fees filed.

COUNSEL:

KOREN MATTSON (PET)...JUDD MAYSUNAGA
EDDIE HERNANDEZ (DEC)...
USHER LAW GROUP (TP)...PRO/PER

Waiver of Court Fees and Costs filed by KOREN MATTSON is GRANTED
TOTAL FEES WAIVED TO DATE: \$983.00

GENERAL INFORMATION

Continued from **12/27/17** at request of Court for petition to terminate to be filed as this is a
no asset estate. Notice to be filed.

Continued from 03/19/18.

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of Koren
Mattson, Daughter/Administrator/Petitioner

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **Need** Petition to Terminate Estate as directed by court on 12/27/17.
2. Assets on hand: \$0.
3. Current bond \$200,000
4. Petitioner alleges there is no property of any kind belonging to the estate and
subject to administration. No assets were marshalled.
5. The initial petition for letters of administration filed 03/03/16 indicates estimated
assets of \$920,000, consisting of real property and personal property. **(Supp.
12/13/17, Counsel learned all assets in the name of decedent were held as
joint tenants with other family members.)**
6. Inventory and Appraisal has not been filed.
7. American Express submitted an approved creditor's claim in the amount of
\$2,052.80; however claim remains unpaid due to lack of assets.
8. Notice was given.
9. No proposed order submitted.

RECOMMENDATION

Need to clear note 1. If approved, set hearing on final discharge for **06/07/19**.

(lh/cs/ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700168

CASE NAME: MTR OF ANNA S SANDERS

HEARING:

Report on waiver of Account and Report of STEPHEN A SANDERS and
Petition for allowance of fees filed.

COUNSEL:

STEPHEN A SANDERS (PET)...PRO/PER
ANNA S SANDERS (DEC)...

Waiver of Court Fees and Costs filed by STEPHEN A SANDERS is GRANTED

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Report on Waiver of Accounting and Petition for
Final Distribution, by Stephen Sanders, son/executor

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All heirs waived accounting.
2. Assets on Hand \$145,000 consisting of real property.
3. Petitioner reports accounting period as 04/19/17 to 03/19/18
4. Petitioner waives statutory compensation.
5. Notice of Hearing with proof of service to Kimberly Sanders filed 05/10/18; however,
the hearing of the notice is incorrect as it is not set on **06/27/18. Need** corrected
notice.
6. No reserves are requested.
7. Proposed Order: 05/10/18 hearing date is incorrect. Accounting period does not
match report, need statement re: sole/separate property of decedent.

RECOMMENDATION

Need to clear notes 5-6, then Court's discretion. If approved, set hearing on the filing of
receipts and final discharge for **06/07/19 and vacate 06/27/18 hearing**

(cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700690

CASE NAME: LUZ N ROBLEDO

HEARING:

Petition for final distribution on waiver of Account and Report
of ANNA M LEONARD and Petition for allowance of fees filed.

COUNSEL:

ANNA M LEONARD (PET)...PRO/PER
LUZ N ROBLEDO (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Anna Leonard, daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on Hand: \$240,000.00 in real property.
2. Petitioner is sole beneficiary by assignment and waives the accounting.
3. Petitioner waives statutory compensation.
4. Joe Robledo, Jr. and Frank Robledo have assigned their full interests to petitioner.
5. No reserve is requested.
6. Notice given.
7. ~Proposed Order: 04/16/18

RECOMMENDATION

Court's discretion. If approved, set hearing re receipts and final discharge for **06/07/19**.

(ww/cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800428

CASE NAME: MTR OF ANITA VASQUEZ

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

YSREAL RANGEL (PET)...DIANE E ROBBINS
ANITA VASQUEZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Ysreal Rangel, son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Bond in the amount of \$1,000,000.00 is being requested. Ok. The estate consists of \$1,000,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Proof of publication filed.**
4. ~Proposed Form Order: 05/02/18

RECOMMENDATION

Need to clear notes 3. Court's discretion re bond. If approved, set Accounting/Status Review **08/19/19** Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800447

CASE NAME: KATHLEEN OIEN

HEARING: Hearing re: Petition for Probate of Lost Will etc

COUNSEL:

LINDA ALDRIDGE (PET)...CANDICE A GARCIA-RODRIGO
KATHLEEN OIEN (DEC)...

GENERAL INFORMATION

Letters of special administration, issued to Linda Aldridge on 05/14/18, no IAEA, no bond.

THIS CASE SET FOR HEARING ON Petition for Probate of Lost will and for Letters Testamentary with Full Authority under IAEA by Linda Aldridge, daughter/executor

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. The estate consists of \$324,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
2. The original will is apparently lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it Pr.C. § 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. Declaration re attempts to locate missing will are attached to the petition. [LF pg. 6]
3. **Proof of publication filed.**
4. ~Proposed Form Order: 05/08/18

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800458

CASE NAME: DIANE MARIE DILLON

HEARING: re: Petition for Letters of Administration w/WA W/Full
Authority under IAEA.

COUNSEL:

NICOLE NICHOLSON (PET)...LINDA ROBERTS-ROSS
DIANE MARIE DILLON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration WWA with Full
Authority under IAEA by Nicole Nicholson, daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **Proof of publication and Notice of Hearing filed 06/06/18; however, not in Laserfiche at time of review.**
2. Will waives bond. Net value of the estate consists of \$55,000.00 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(b).
3. Proof of Holographic will filed 05/10/18.
4. Section 8 of the petition fails to list all persons mentioned in the will. **Need** verified supplement as to Jeff, Nevaeh, Lea, Junior, and Carolyn. No last names were provided in the will.
5. **Need** Notice to Petition to Administer Estate and proof of service.
6. **Need** proof of publication.
7. No Form Order Provided.
8. Petition for appointment of Guardian Ad Litem of Jacob Cotton, grandson, filed 05/10/18; however, **need** proposed order of said petition submitted for Judicial review.

RECOMMENDATION

Need to clear notes 5-6 & 8. Court's discretion re bond. If approved, set Accounting/Status Review for **08/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800459

CASE NAME: IRMA ORNELAS

HEARING: Spousal Property Petition hearing.

COUNSEL:

JOSEPH P SAUCEDA (PET)...PRO/PER
IRMA ORNELAS (DEC)...

GENERAL INFORMATION

Letters of special administrator issued to Joseph Saucedo with limited IAEA, no bond on 05/17/18.

At special hearing on **05/17/18** Special administrator may not possess money or property of the estate without further court order. Special administrator is authorized to work with the mortgage holder to bring home current.

THIS CASE SET FOR HEARING ON Spousal Property Petition by Joseph Saucedo, spouse

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests a determination of real property passing to the surviving spouse as community property. Specifically, real property located in San Bernardino.
2. Petitioner does not set forth date of marriage, when property was acquired, or how purchased [separate/community funds]. **Need** verified supplement.
3. Section 8 as to whether there is a written agreement between the deceased spouse and surviving spouse is incomplete. Court may wish to inquire, or in alternative, need verified supplement. **JTD**
4. Section 9 to petition [LF, pg. 3] does not list the petitioner or include the relationships to the decedent of the listed persons. **Need** same via verified supplement.
5. **Need** Notice of Hearing with proof of service to decedent's issues.
6. **Note:** A general Petition for Letters of Administration has not been filed.
7. ~Proposed Form Order: 05/10/18

RECOMMENDATION

Need to clear notes 2, 4 & 5 then Court's discretion re: remaining notes.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: SPR SS03958

CASE NAME: MTR OF THE BAILY ANN MCNEIL SPECIAL NEEDS TRST

VACATED

HEARING:

Hearing Re: GUARDIAN AD LITEM'S REPORT

COUNSEL:

BAILY ANN MCNEIL (MIN)...JUDITH RUNYON
DIANE D HARKISON (PET)...M DANIEL SAYLOR
THE BAILY ANN MCNEIL SPECIAL NEEDS TRUST (TRU)...
MELODIE Z. SCOTT (APP/TEE)...HORSPOOL & PARKER
KIRK HOFFMAN (PET)...M DANIEL SAYLOR
PUBLIC GUARDIAN (COUNTY COUNSEL)
BOND SERVICE OF CALIF/DARNELL (PRO/PER)
AMERICAN CONTRACTORS INDEMNITY

GENERAL INFORMATION:

Continued from 09/18/17, 12/04/17 and 02/26/18. For report to be filed.

THIS CASE IS SET FOR HEARING ON Guardian ad Litem's Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set at 06/26/17 hearing, wherein, the Court appointed Mitchell Roth as GAL.
2. **Need** report by GAL, Mitchell Roth.

RECOMMENDATION:

Inquire status.

(nb/cs/ww)

Future Hearing: 7/02/18 Accounting Review

Superior Court of Calif, County of San Bernardino
Page: 10

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **CONSERVATORSHIP**

DATE: 06/11/18 TIME: 8:30 DEPT: S37P

CASE#: CON PS0800038

MATTER MOVED TO PAGE 13A AT 9:30AM IN S37.

CASE NAME: CHARLES D. GLADISH

SEE ALSO 13 & 13A

HEARING:

Petition for ORDER SURCHARGING CONSERVATOR

COUNSEL:

SKY LUNDY	(CPE)...MICHAEL POLLOCK
CHERIE PETERSON	(CPE)...PRO/PER
DANA CALHOUN	(CPE)...PRO/PER
DONN HOUSTON GLADISH	(CPE/SC)...HARTNELL, LISTER & MOORE
CHARLES D GLADISH	(CEP)...MITCHELL I ROTH
DON HOUSTON GLADISH	(SC)...JACK B OSBORN

See notes on matter 13A.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS

DATE: 06/11/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600019

CASE NAME: The Wade H Fordyce and Dorris G Fordyce Living Trust

HEARING:

Petition for removal of trustee and appointment of successor trustee

COUNSEL:

KELLY DEAN FORDYCE (PET)...THE LAW OFFICE OF RICHARD A LE
WADE H FORDYCE AND DORRIS G FORDYCE LIVING TRUST (TRU)...
ROBIN LEE FORDYCE (RES)...HOWARD R HAWKINS

Currently under review by Legal Research.

(LR)

Notice:

Need 30 days' notice to Robin Fordyce, Candyce Leffingwell, and Roger Fordyce.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800098

CASE NAME: MTR OF SHARON E LEMAY LIVING TRUST

HEARING:

Petition for VERIFIED PETITION TO CONFIRM EXISTENCE AND VALIDITY
OF TRUST ETC

COUNSEL:

SUSAN E LEMAY (PET)...FULLERTON LEMANN SCHAEFER & DO
THE SHARON E LEMAY LIVING TRUS(TRU)...

Currently under review by Legal Research

LR

NOTICE:

Need copy of Trust filed. Copy may be filed confidentially. Local Rule 20-1502.

Notice filed on 05/04/18 as to Paul Lemay and John Lemay; however, Notice must contain full description of the subject property ; a description of relief and from whom it is against if Pr.C. § 859 is being pursued; and a statement advising persons whom have interest in said property that they may file a response to the petition. **Need** corrected notice.

Petitioner is requesting that assets be confirmed as assets of the trust; however, does not indicate Pr.C. § 850.

(ww/cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800038

CASE NAME: CHARLES D. GLADISH

SEE ALSO 10 & 13A

HEARING:

Hearing re Final Discharge

COUNSEL:

SKY LUNDY

(CPE)...MICHAEL POLLOCK

CHERIE PETERSON

(CPE)...PRO/PER

DANA CALHOUN

(CPE)...PRO/PER

DONN HOUSTON GLADISH

(CPE/SC)...HARTNELL, LISTER & MOORE

CHARLES D GLADISH

(CEP)...MITCHELL I ROTH

DON HOUSTON GLADISH

(SC)...JACK B OSBORN

XREF: CONPS0800095 (Gaye Sims)

GENERAL INFORMATION

Continued from 12/10/13, 1/28/14, 3/18/14, 6/23/14, 8/25/14, 10/09/14, 01/08/15, 2/24/15 and 5/4/15. Court notes a petition for surcharge to be filed.

On 6/23/14 hearing re ORAP -- Examination of Judgment Debtor: Off-Calendar. Reason: Don Gladish is deceased.

Continued from **7/6/15 and 8/19/15** for bond company to be present. Court previously signs order to place funds of conservatorship estate in attorney trust account.

Continued from **09/21/15**. Bond company to personally appear on 10/29/15.

Continued from **10/29/15**. Court refers this case to Public Administrator. Public Administrator to determine if estates of conservatee, Charles D. Gladish, and conservator, Don Houston Gladish, need to be opened by the public administrator to distribute the estate on conservatorship of Charles D Gladish.

Continued from **01/05/16** at request of counsel. Bond company will be excused from next hearing if it has been determined that there are enough funds to address notes.

Continued from 02/22/16, 04/25/16, 07/12/16, 09/20/16 and 11/30/16. Conservatee and Conservator have both passed away [per minute order] and there are no funds left to pay bills as ordered in acc. Court requests that counsel check where Conservator resided before his death to see if any funds remain. Mr. Theios reports petition to surcharge will be filed.

Continued from **02/22/17**. Conservator has not passed away.

Continued from **05/03/17 and 07/05/17** to determine what funds are left in conservatorship estate.

Continued from **09/13/17, 11/08/17, and 02/22/18.**

Continued from 05/09/18. To clear probate notes and trailing petition for order surcharging conservator.

THIS CASE SET FOR HEARING ON Final Discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Distribution for Don Gladish, son, approved on 12/04/12.
2. **Need** receipts for attorney's fees.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Need to clear notes 2-3. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc/sa/tax/lc/sg/sa/sg/lc/nb/dl/nb/lc/lh/lc/lh/ww)

Superior Court of Calif, County of San Bernardino

Page: 13A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800038

CASE NAME: CHARLES D. GLADISH

SEE ALSO 13

HEARING: Petition for ORDER SURCHARGING CONSERVATOR

COUNSEL:

SKY LUNDY	(CPE)...MICHAEL POLLOCK
CHERIE PETERSON	(CPE)...PRO/PER
DANA CALHOUN	(CPE)...PRO/PER
DONN HOUSTON GLADISH	(CPE/SC)...HARTNELL, LISTER & MOORE
CHARLES D GLADISH	(CEP)...MITCHELL I ROTH
DON HOUSTON GLADISH	(SC)...JACK B OSBORN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Order Surcharging Conservator [Pr.C. § 240, 2401.3] by Attorney Bryan Hartnell, petitioner/former attorney for conservator Donn Gladish

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner indicates that Conservator has breached his fiduciary duty as he has not paid the full amount of fees due to Attorney Hartnell.
2. The amount of \$23,995.00 was awarded to petitioner on 11/29/10 upon approval of the First Account Current by Conservator Donn. Copy of order is attached. [LF pgs. 6-8].
3. Petitioner indicates that only \$11,295.21 has been received thus far and that \$12,699.79 plus accrued interest remains unpaid.
4. Petitioner further indicates that the estate had sufficient resources at the time of the Order on First Account Current to pay such fees.
5. Petitioner requests that Conservator Donn be surcharged the amount of \$12,699.79 plus accrued interest and if not paid then the sum is to be paid by the Surety. [LF. pg 3.] **JTD**
6. Notice given.
7. ~Proposed Order: 05/08/18

RECOMMENDATION

Court's discretion.

(ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400131

VACATED

CASE NAME: MTR OF DANA MARLENE STEIN

HEARING:

Accounting Review by ***

COUNSEL:

ERICH EDWARD STEIN (CPE)...ERIC N CHUNG

DANA MARLENE STEIN (CEP)...

DANA MARLENE STEIN (PET)...DONNASUE ORTIZ

(ww)

Future hearing dates:

06/28/18 Petition for waiver of the second and final account and report

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400167

CASE NAME: MTR BRIAN MCGINNIS

SEE ALSO 16

HEARING:

Conservatorship Compliance Review Hearing on SUPPLEMENTAL
PETITION FOR CONSERVATORSHIP of GLORIA DYANN THOMAS

COUNSEL:

THERESA MCGINNIS	(CPE)...SAMUEL CROWE & ASSOCIATES
PETER MCGINNIS	(CPE)...SAMUEL CROWE & ASSOCIATES
BRIAN MCGINNIS	(CEP/PCE)...LENITA A SKORETZ
GLORIA DYANN THOMAS	(PCR)...BRIAN G THORNE
G. DYANN THOMAS	(OBJ)...PRO/PER

GENERAL INFORMATION

Continued from **03/10/16, 10/13/16, 01/12/17, 04/20/17, 06/29/17 and 09/07/17**. Citation issued to Conservator Gloria Thomas.

Continued from **12/07/17** Court cites Gloria Thomas to be present at next hearing, should she failed to appear a bench warrant may be issued for her arrest. Citation issued to Gloria Dyann Thomas and OSC re why she failed to appear/file documents and accounting.

Continued from 03/19/18.

THIS CASE SET FOR HEARING ON Compliance Review/Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Gloria Tomas, sister, appointed conservator of the person and estate on 09/10/15, \$0 bond. Notice of Withdrawal of attorney filed 01/13/16; however, **need** mandatory judicial council Substitution of Attorney (form MC-050) filed.
2. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 01/20/15.
3. **Need** Notification of Conservatee's rights per Pr.C.§1830(c). **(Filed prematurely on 06/10/14 prior to appointment, need post notice)**.
4. Ex parte petition to dispense with accounting and order returned for corrections by examiner on 05/21/18 as Final Inventory and Appraisal has not been filed. **Need** Final Inventory & Appraisal per Pr.C.§2610 and **need** Proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610 before an Ex parte petition to dispense with accounting and order can be granted.

5. **Need** accounting/waiver once the Final Inventory and Appraisal is filed. **See note 4..**
6. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
7. Declaration of unsuccessful service of citation for Gloria Thomas filed.

RECOMMENDATION

Need to clear notes 1, 3-5. When documents are not filed as ordered, court may set a hearing in accord with Pr.C. §2655.

(lc/ww/lc/cs/ww)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400167

CASE NAME: MTR BRIAN MCGINNIS

SEE ALSO 15

HEARING:

Accounting Review by ***

COUNSEL:

THERESA MCGINNIS	(CPE)...SAMUEL CROWE & ASSOCIATES
PETER MCGINNIS	(CPE)...SAMUEL CROWE & ASSOCIATES
BRIAN MCGINNIS	(CEP/PCE)...LENITA A SKORETZ
GLORIA DYANN THOMAS	(PCR)...BRIAN G THORNE
G. DYANN THOMAS	(OBJ)...PRO/PER

See notes on matter 15.

(ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600168

CASE NAME: MTR OF JESSE CHARLES WHITE

SEE ALSO 18

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of LINDA CHARLENE WHITE

COUNSEL:

LINDA CHARLENE WHITE	(PET)...PRO/PER
JERRY ALLEN WHITE	(PET)...PRO/PER
JESSE CHARLES WHITE	(PCE)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Jerry and Linda White, paternal grandparents/adoptive parents were appointed as temporary conservators of the person only on 11/17/16, no bond.
2. Linda White, paternal grandmother/adoptive mother, appointed general conservator of the person on 11/06/17, no bond.
3. Jerry White, paternal grandfather/adoptive father, appointed conservator of the person and estate on 11/06/17, \$25,000.00 bond.
 - a. Bond filed on 03/06/18.
 - b. **Need** general letters by Linda as to the conservatorship of the person.
 - c. **Need** general letters by Jerry as to the conservatorship of the estate.
4. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
5. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
6. **Need** Care Plan in accord with Pr.C.§2352.5.
7. **Need** Final Inventory & Appraisal per Pr.C.§2610.
8. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
9. If the conservatorship estate holds interest in real property, **need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 3-9.

(ww)

Future Hearing: 11/19/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600168

VACATED

CASE NAME: MTR OF JESSE CHARLES WHITE

SEE ALSO 17

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

LINDA CHARLENE WHITE

(PET)...PRO/PER

JERRY ALLEN WHITE

(PET)...PRO/PER

JESSE CHARLES WHITE

(PCE)...MITCHELL I ROTH

Bond filed 03/06/18.

(ww)

Future Hearing: 11/19/18 Accounting Review

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600177

CASE NAME: ARNETTA BROOKS

HEARING:

Accounting Review by ***

COUNSEL:

ALESIA SONYA DIGGS (PET)...PRO/PER
ARNETTA BROOKS (CEP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from **11/27/17**. Court determines Norvella Brooks is the successor trustee of the estate and takes jurisdiction over the 210 Arnetta Brooks Revocable Trust. A new probate case is to be opened with this trust and be set to trail this matter. Court order a copy of the \$375 bond taken out with Bond Services and a copy of the escrow settlement statement be filed and served by 12/01/17. Counsel agree to accept service by email or fax. Court determines accounting on the conservatorship is dependent upon the accounting of the trust. Ms. Koretz reports a deceased sister has a will that will be probated in San Francisco. The Court sets receipt of bond of \$375,000 in the trust matter. Said bond was filed prior to the setting of the bond hearing. Bond hearing not set. Accounting in trust matter to be set to trail this hearing.

Continued from 03/19/18. Reason: ill/family members ill. Petitioner advised to clear probate notes.

THIS CASE SET FOR HEARING ON Accounting review by Alesia Diggs

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Alesia Diggs, appointed temporary conservator of the person and estate on 07/07/16, no bond. Thereafter appointed general conservator of the person and estate on 09/19/16, \$20,000 bond.
 - a. Bond filed on 09/19/16.
 - b. **Need** general order and letters.
2. **Need** copy of the escrow settlement statement as directed by Court on 11/27/17.
3. **Need** to file a probate for trust matter as directed by Court on 11/27/17.
4. **Need** Inventory and Appraisal per Pr.C. §2610.
5. **Need** proof of service of Inventory and Appraisal including Instructions for Objection per Pr.C. § 2610.

6. **Need** Notice of death of conservatee per Pr.C. §2361.
7. **Need** 1st and Final to include pre and post death periods beginning with 07/07/16.
8. Trustee Bond in the amount of \$375,000 filed 11/27/17.
9. Report of Counsel Roth filed on 05/11/18.

RECOMMENDATION

Need to clear notes 1-7. Inquire status of accounting. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(cs/ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600339

CASE NAME: PATRICK BOYD DAHL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DAVID K DAHL

COUNSEL:

DAVID K DAHL (PET)...PRO/PER
MARLENE P DAHL (PET)...PRO/PER
PATRICK BOYD DAHL (CEE)...JAMES B CHURCH

GENERAL INFORMATION:

Continued from **10/25/17**.

Continued from **12/27/17** at request of Court. Counsel will assist petitioner in preparing compliance documents. Counsel reports a petition adding a granddaughter as co-conservator may be filed.

Continued from 03/19/18. Reason: family having medical issues

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. David and Marlene Dahl, parents, appointed limited co- conservators of the person only on 03/22/17.
2. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION:

Need to clear notes 2-4.

(ww/lh/cs/ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700358

CASE NAME: CHRISTOPHER ALLEN JIMENEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ELIZABETH JIMENEZ

COUNSEL:

ELIZABETH JIMENEZ (CP)...PRO/PER
CHRISTOPHER ALLEN JIMENEZ (CTP)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Elizabeth Jimenez, mother, appointed limited conservator of the person only on 11/06/17, no bond.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 11/14/17; however, server failed to date at signature line. **JTD**
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 03/05/18.

RECOMMENDATION

Court's discretion re note 2.

(ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700428

CASE NAME: RIGOBERTO LOPEZ SANCHEZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ROSA SANCHEZ LOPEZ (CP)...PRO/PER
RIGOBERTO LOPEZ SANCHEZ (CTP)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

Continued from **12/27/17** to clear notes, report of counsel and for IRC report
Continued from 03/19/18. The Court excuses listing father on list of required contacts and accepts declaration of due diligence as to father. Counsel has been given the correct phone number of petitioner so she will be able to contact her client. The case is referred to Legal Aid for legal assistance.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Rosa Lopez, mother

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No bond- person only
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. **JTD**
3. Petitioner seeks civil rights not be limited without court order. **JTD**
4. Petitioner seeks medical powers. Capacity Declaration filed 03/23/18; however, Doctor failed to date signature on last page but did date signature on 1st page. **JTD.**
5. Proposed conservatee is developmentally disabled. Report of Counsel Garcia-Rodrigo filed 03/08/18 and Second report filed on 04/04/18.
6. Proposed conservatee is developmentally disabled. IRC report filed 03/15/18.
7. **Need** Notice of hearing and proof of service on Maria Lopez, sister.
 - a. Due Diligence Declaration filed 03/15/18 as to Maria Lopez, sister. **JTD**
8. Citation with proof of service filed on 03/15/18; however, service date was only 5 days' prior to the hearing. **JTD.**
9. Certificate of Completion of the Conservatorship Training Class filed 02/01/18.
10. CI Report filed 12/15/17.

11. ~Proposed Form Order: 11/22/17

RECOMMENDATION

Need to clear note 7. If approved, set hearing for Compliance Review for **01/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/cs/ww)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800128

CASE NAME: Jesus Estella Lopez Rodriguez

HEARING:
Petition for Appointment of Conservator

COUNSEL:

JOSE MANUEL ROSAS (CP)...
VICTORINA RODRIGUEZ ROSAS (CP)...
JESUS ESTELLA LOPEZ RODRIGUEZ (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Jose and Victorina Rosas, step-father and mother

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No bond- person only
2. Petitioner seeks medical powers. Capacity Declaration filed 04/30/18.
3. Proposed conservatee is developmentally disabled. Attorney Edward Fischel appointed as counsel. **Need** report of Counsel.
4. Proposed conservatee is developmentally disabled. **Need** IRC report.
5. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social/ vocational opportunities, authority to fix the residence/dwelling; authority to access confidential records/documents/reports & other info regarding the proposed conservatee, including those in the possession of the Regional Center, authority to control the right of conservatee to contract, authority to make & consent to medical decisions for the conservatee.
6. Petitioner seeks civil rights not be limited without court order. **JTD**
7. List of Required Contacts (Local form SB-12224) is missing Matias Lopez, biological father and John Lopez, brother. **JTD**.
8. Confidential Supplemental Information filed; however, proposed conservatee Jesus's information is missing in item 1 and date and signatures by both Jose and Victorina. **Need** completed form.
9. **Notice of no report by CI filed 05/30/18.**

10. **Need** Certificates of Completion of the Conservatorship Training.
11. **Need** Notice of Hearing and proof of service.
12. **Need** CI report.
13. ~Proposed Form Order: 04/30/18

RECOMMENDATION

Need Report of Counsel, IRC report, and to clear notes 8-11. If approved, set hearing for Compliance Review for **01/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800129

CASE NAME: MTR OF RONALD BENJAMIN TAFOYA

HEARING:
Petition for Appointment of Conservator

COUNSEL:

JAMES CASTANEDA (CPE)...PRO/PER
RONALD BENJAMIN TAFOYA (CEP)...WALTER T. MOORE

GENERAL INFORMATION

James Castaneda appointed as temporary conservator of the person and estate on 05/07/18, \$50,000.00 bond. Attorney Walter Moore appointed for proposed conservatee.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by James Castaneda, friend

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Bond of \$50,000.00 ordered on 05/07/18. Ok.
 - a. **Need** bond filed and temporary letters issued.
2. Petitioner seeks medical powers. Capacity Declaration filed 04/30/18.
3. Petitioner seeks dementia powers. Attorney Walter Moore appointed as counsel. **Need** report of Counsel.
4. Section 4 indicates that proposed conservatee is receiving or entitled to receive benefits from the VA; however, estimated amount of monthly benefit payable was not provided. Court to Inquire. [LF pg. 5]
5. Section 11 lists no relatives; however, petitioner indicates in attachment 3f(1) and 3(f)2 that proposed conservatee has a brother, sister with whom he is estranged from and 2 sons with whom he does not have any contact or relationship with. Does Court wish for a verified supplement to be filed with these relatives listed? **JTD**
6. Court to see Confidential Screening form.
7. Court to see Confidential Supplemental form. [LF. pg 4]
8. **Need** List of Required Contacts (Local form SB-12224).
9. **Need** Court Investigator Referral Report (Local form SB-360)
10. **Need** Notification of Court of Conservatorship Address. (Local form SB-14522)

11. **Need** return of citation.
12. **Need** Certificate of Completion of the Conservatorship Training Class.
13. **Need** Notice of Hearing and proof of service.
14. **CI reports filed 05/30/18.**
15. No Form Order Provided.

RECOMMENDATION

Need Report of Counsel and to clear notes 1, 8-13. Bond \$50,000.00. If approved, set hearing for Compliance Review for **01/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C. §2352.5; Inventory & Appraisal, and Proof of Service if I&A and Instructions for Objection per Pr.C. § 2610; recordation of letters if applicable per Pr.C. § 2313.

Set hearing re Accounting Review for **08/19/19** Any accounting to be filed 30 days in advance.

(ww/cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 06/11/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800138

CASE NAME: JAMES ARMOUR HARWELL III

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ANN HARWELL BROOKS (CPE)...MARK H MCGUIRE
JAMES ARMOUR HARWELL III (CEP)...PRO/PER

GENERAL INFORMATION

Anne Brooks appointed as temporary conservator of the estate only on 05/14/18,
\$50,000.00 bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and
estate by Anne Brooks, sister

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks bond of \$10,000.00 but then indicates that a minimum bond of \$20,000 be given and will increase bond once she has access to the accounts. **JTD**. Estimated value is \$10,000.00 in personal property and the rest is unknown. [LF pg. 10]
 - a. \$50,000.00 bond for Anna as temporary conservator filed 05/17/18.
2. Petitioner does not mark any powers regarding the person or estate. Court may wish to inquire. **JTD**
3. Section 4b as to whether the proposed conservatee is receiving or is not receiving VA benefits is incomplete. Court to inquire or in alternative, need verified supplement. **JTD**
4. Section 9 indicates that the proposed conservatee lacks capacity to give informed medical consent; however, medical powers under Pr.C. § 2355 are not requested in section 1g. Court to inquire if medical powers are being sought. **If** so, then **need** Capacity Declaration filed.
 - a. Section 9b is incomplete as to whether the Capacity Declaration is filed, will be filed or will not be filed. Court to inquire. **JTD**

5. Attachment 3f(1) & (2) make reference to Confidential Supplement Form GC-312. [LF pg. 10] **JTD**
6. Court to see Confidential Supplemental form.
 - a. Confidential Supplemental form is missing the proposed conservatee's SSN in item 1. **JTD**
7. **Section 8 of petition does not list Brian S. Brooks, brother. Need verified supplement.**
8. **Need** Court Investigator Referral Report (Local form SB-360)
9. **Need** Notification of Court of Conservatorship Address. (Local form SB-14522)
10. **Need** return of citation.
11. **Need** Certificate(s) of Completion of the Conservatorship Training.
12. **Notice of no Report by CI report filed 05/30/18.**
13. ~Proposed Form Order: 05/07/18

RECOMMENDATION

Need to clear notes 7-11 and note 4 if it applies. Bond in the amount of \$50,000.00 is filed. If approved, set hearing for Compliance Review for **01/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5; Inventory & Appraisal, and Proof of Service if I&A and Instructions for Objection per Pr.C. § 2610; recordation of letters if applicable per Pr.C. § 2313.

Set hearing re Accounting Review for **08/19/19**. Any accounting to be filed 30 days in advance.

(ww/cs)